

City of Cle Elum
Regular City Council Meeting
Centennial Center 719 East Third Street
May 8, 2023, 6:00 pm

Call to Order – Roll Call of Membership

The Regular meeting of the City Council 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, Sarah Lackey, Steven Harper, Siw Bay-Hansen, Beth Williams, and Ken Ratliff. Other members present were City Administrator Rob Omans, Contract Planner Colleda Monick, Contract Planner Gregg Dohrn, Public Works Director Mike Engelhart, Police Chief Rich Albo, Fire Chief Ed Mills and William LaRue, Veolia (via Zoom).

Public Comment – Limited to 5-Minutes

Mayor McGowan read instructions on how to provide public comments for the 47 Degrees North Project and Notice of Application. The instructions encouraged citizen involvement, however, comments posted on social media or stated verbally during the public comment period of City Council public meetings will not be categorized as formally submitted comments on the NOA or the Addendum.

Greg Gohsman – 2131 Lower Peoh Point Road: Spoke against 47 Degrees North. Concerned about taxes assessed on local, long term property owners and tax deficits.

When the audience broke out in applause, Mayor McGowan asked the citizens to refrain from clapping.

Mary Faucher, 312 E. Second: Asked City Council to consider moving their meeting nights so they do not coincide with the school board meetings. Spoke against 47 Degrees North – suggested the land should be made into an Urban Forest area.

Devon Thomas, 1015 E. Second #2-1149: Spoke against 47 Degrees North.

Larry Stauffer – on behalf of KCUAC: Challenged the NOA as it does not reference the Determination of Consistency. Asked the City Council to pass an ordinance to make the city obey its ordinances. Asked the council to reissue the Preliminary Determination and extend the comment period. Commented it is important to know who the enemies are on the council.

Unidentified Speaker – Ronald – Spoke against 47 Degrees North. Safety Issues.

Susie Weis - 640 Wadsworth Loop: Spoke against 47 Degrees North – disrupts the character of the community.

Stephanie Haag – 1604 Marian Drive: Spoke against 47 Degrees North – increases population without contributing towards taxes; taxes the citizens.

Councilmember Harper rose to a point of order against the applause and asked the Mayor to uphold the rules of the OPMA.

Kristin Sanderson – 80 Augusta Place: Spoke against 47 Degrees North. No infrastructure to support it. Need affordable housing in the area. Project will increase property & sales taxes.

Patricia Garris, 618 Cleveland: Spoke against 47 Degrees North. Schools and Police will be affected. Research shows Sun Communities is a predatory company.

Rex Bloesser, 191 Larkspur Loop: Spoke against 47 Degrees North.: Changes the character of the community.

- Frank Austin, 280 Grand Fir Lane, Ronald:** Spoke against 47 Degrees North. Mobile homes on properties that do not belong to the homeowner.
- Bonnie Banks, 304 S. Third St., Roslyn:** Spoke against 47 Degrees North. Concerns: Safety.
- Tiffany Christman, 815 Lincoln, So. Cle Elum:** Spoke against 47 Degrees North. Sun Communities is a predatory company.
- Sarah Peters, 260 Pine Glen Dr.,** Spoke against 47 Degrees North. Housing is not affordable if you do not own the land. Traffic issues will be created. Need more affordable housing.
- Raven Hill, 427 Cleveland, So. Cle Elum:** Spoke against 47 Degrees North. Many lawsuits are pending against Sun Communities.
- John Perugini, 111 Rinky Dink Lane:** Spoke against 47 Degrees North.
- Douglas Johnson, 317 S. 3rd, Roslyn:** Spoke against 47 Degrees North. "Issaquah-zation" of Cle Elum.
- Don Owens, 3011 Big Tail Road:** Spoke against 47 Degrees North. Land will not be owned by homeowner. Need to focus on affordable housing. Traffic issues will be created.
- Jennifer Robison, 6760 Tumble Creek Drive:** Spoke against 47 Degrees North. No benefit to the community. Asked what the city needs from the community to help change this.
- Marv Van Santen, 650 Timber Mountain Loop:** Spoke against 47 Degrees North. Shopping in the city is already bad.
- Josh Hoffman, 105 Hoffmanville, Roslyn:** Spoke against 47 Degrees North. Project will bring too many people to the area with no place to put them. No place to park.
- Eliza Stephenson, 1272 Teanaway Road:** Spoke against 47 Degrees North. Retail will be pulled away from the downtown area.
- Leslie Cousins, 320 Goat Creek Lane:** Spoke against 47 Degrees North. No infrastructure to support the new individuals who may move to the area.
- David Gusdorf, 841 Kokanee Loop:** Spoke against 47 Degrees North. No benefit to Cle Elum downtown businesses. Limited infrastructure will not accommodate Sun Communities' proposal.
- Alesha Schmedeke, 106 E Idaho, Roslyn:** Spoke against 47 Degrees North. County commissioners have a lot of concerns for the Upper County. Concerns: Taxes and safety. Asked what the citizens can do to help the council vote against it.
- John MacKenzie, 80 Augusta Place:** Spoke against 47 Degrees North.
- Jan Westra, 50 White Pine Drive, Ronald:** Spoke against 47 Degrees North – Concerned about the nonavailability of medical treatment for the influx of people coming into the community.
- Ali Astrachan – 351 Big Rock Lane:** Spoke against 47 Degrees North. Find a group of investors to purchase the property and turn it into an urban forest.
- Ira Astrachan – 351 Big Rock Lane:** Spoke against 47 Degrees North: Legal Reason: Public interest; Sun Communities affects the community in a negative way.
- Barbara Brunner - 631 Palouse Road:** Spoke against 47 Degrees North – does not meet concurrency requirements.
- Carol Wilson – 100 Powder Cap Ct.:** Spoke against 47 Degrees North. Public opinion is that the city has already approved this development. Citizens do not understand why. The community cannot keep up with the infrastructure. Asked why the council feels compelled to say yes.
- Bob Case – 406 Columbia Avenue:** Spoke against 47 Degrees North.
- Cindy Milsap – 3601 Nelson Siding Road:** Spoke against 47 Degrees North. Traffic is an issue.

Public Comments ended at 7:45 pm. The meeting was paused for a 15-minute break. The regular meeting resumed at 8:00 pm..

Approval of the Meeting Agenda

A motion was made by Steven Harper and seconded by Matthew Lundh to approve the meeting agenda with the removal of New Business Item 10c - Resolution 2023-009 - at the advice of legal counsel and to add under New Business as item 10a – a letter and proposed

resolution received from Larry Stauffer, and to move all other items under New Business down the list. The motion to approve the agenda as amended was carried unanimously.

Announcements, Appointments, Awards & Recognition

None

Consent Agenda

A motion was made by Steven Harper and seconded by Matthew Lundh to approve the consent agenda with corrections to the minutes of 04/24/2023 regarding his motion at the end of the executive session as follows: strike the statement "re-evaluate the applicants for the position in light of new qualifications" from the minutes as that was not the intent of the motion. The sentence "revise the policy to hire a new City Clerk" will be left in the minutes. The motion carried unanimously. A motion was made by Matthew Lundh and seconded by Ken Ratliff to accept the consent agenda as amended. The consent agenda included the minutes to the 04/24/2023 Regular Meeting; 05/08/2023 Accounts Payable EFTs and Vouchers #45439 – 45479 in the amount of \$177,591.62; 05/5/2023 Payroll EFTs and Vouchers #45433-45438 in the amount of \$271,953.83. The motion carried unanimously.

Officer Reports

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

- Staff gave out 238 vouchers for Spring Cleanup. The Transfer Station received 168 vouchers.
- Teaming up with the Kittitas County Building official, Jeremy Larson to hold Builder's Forums on the second Tuesday of each month from 9:00 to 10:00 in the City Hall Council Chambers. The forum is for builders and building department staff to familiarize themselves with the new building code, which will be effective in July.

Matthew Lundh asked about the status of hiring an in-house planner. Omans responded there have been applicants, but none are qualified.

Contract Planner Gregg Dohrn - Reported:

- Based on public comment received at this meeting, the City could reissue the Notice of Application with an extended comment period and to more specifically reference determinations made by the City, which would address the issue brought up. There are 3 applications that were submitted, including the Proposed Modifications to the Approved Development Agreement and Master Site Plan, which is necessary to the development plans. The Determination of Completeness triggers the Notice of Application, which triggers the first of two comment periods. The other 2 applications are for a Preliminary Plat approval of a residential sub-division (deemed not complete) and a Boundary Line Adjustment (also deemed not complete).

Planning Department – Colleda Monick – Reported:

- Current Planning Permits: Ziple Fiber – Franchise Ordinance; Pre-Application Meetings with Tap Room off First and a utility extension on Grant Street; Dru Bru Site Design Review (issued) and Site Design Review for Taneum Creek Brewing (in review); Skatepark Clear & Grading Permit (issued); Assisting with review process for 47 Degrees North, Commercial Retail Review and Decision for a Short Term Rental Permit (issued); Fowler Creek Annexation Application: set time and date 04/10/2023), public hearing (04/24/2028); Airport Advisory Committee review; connection with FAA to discuss their requirements/review process; Final Short Plat Decision for 903 West First Street.
- General Planning Support: provided planning support to the public related to: zoning/development, Short Term Rentals; Mobile Food Vendors, Sidewalk Use Permits, Utility Requirement, Building Permit, Sign Permits
- Reviewed Audio Visual/Recording capabilities for public meetings

- Council Presentations: Ziplly, Planning updates, Annexation, Permit Fees.
- On-site support: walk-ins and onsite meetings.

Councilmember Lundh asked why the City did not respond to the letters received in August 2022 and April 2023 from the County Commissioners and Public Works regarding the traffic impacts. Mayor McGowan responded staff has been working on the response; it will be put on a council agenda and brought before them.

Public Works Director – Mike Engelhart – Reported:

- Street sweeper is repaired and running well.
- The new mechanic is doing a great job. He would like Council to meet him.
- Parks and Cemetery positions are still open.
- Most alleys city-wide have been graded. Crews will continue to do so through the summer.
- The City staff has been at the airport to review potential leased property for hangars.
- The elk have damaged airport lights.
- City-wide irrigation systems are all turned on.
- Punch list items are being finalized for the Phase 3B First Street Revitalization project.

Police Chief - Rich Albo – Reported:

- The Department will be promoting 2 sergeants and will not fill the corporal position.
- A special Olympics event will be held at the high school on 05/20/2023.
- Roslyn and Cle Elum are experiencing problems with bears coming into the cities.
- He will be gone to the WASPC Conference (Washington Association of Sheriffs and Police Chiefs) during the week of 05/22/2023,

Fire Chief – Ed Mills - Reported:

- There were 47 calls in April 2023: 2 fires, 32 EMS calls, 13 others.
- Hosted 2 events on 05/06/2023 at the – Mother’s Day Bazaar and the Bike Rodeo at the Station. Approximately 100 kids attended; the department gave out 65 helmets, Back Packs and provided safety checks on their bikes.
- Hosted a wildfire education event at the vacant Pioneer lot. The tub grinder was on hand and information on city projects was provided.
- Called to a structure fire in South Cle Elum on 05/06/2023 at 9:25 pm.
- The Wildfire Neighbors program has had several interested citizens sign up.

Veolia - William LaRue Reported:

- a. Graphs of Water Plant Flows, Run Times, Precipitation, Wastewater Flows and Water Plant versus Wastewater Plant Flows for 04/2023 were provided in council packets.
- b. Working on the National Pollution Discharge Elimination System (NPDES) permit renewal application.
- c. The annual Water Use Efficiency report has been submitted.
- d. Both plants are running well. Warm weather has increased the turbidity.

Public Appearances

Horse Park Update: Cancelled – will be rescheduled

Unfinished Business

a. **Employee Relations Committee Report/Recommendation Regarding the Appointment of the City Clerk:** Councilmember Williams reported the committee met on 05/02/2023 to re-evaluate the applications. *A motion was made by Beth Williams and seconded by Ken Ratliff to reconsider the application submitted by Debbie Lee and to appoint her to the position of City Clerk. Councilmember Harper stated the committee did not carry out the process that was designated by the motion made after the executive session. Councilmember Ratliff commented it was referred to the committee who brought back their findings. Councilmember*

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*Williams rescinded her motion to reconsider the application submitted by Debbie Lee. Ken Ratliff rescinded his second to the motion. A motion was made by Beth Williams and seconded by Ken Ratliff to reconsider the ratification of the Mayor's recommendation to hire Debbie Lee as the City Clerk. Discussion on the motion: Councilmember Lundh asked if the council is being asked to hire someone as recommended by the committee, even if the committee did not follow the process they were directed. Councilmember Williams reported that regardless of the direction given at the previous meeting, the committee chose to re-vote on whether the council would support the Mayor's appointment of Debbie Lee as the new City Clerk. She added that this was the same process used to hire the current city clerk. Councilmember Harper commented that the City should not hire someone with a cloudy past to hold the position of City Clerk. Councilmember Lundh agreed. **The motion was carried by a vote of 5 ayes and 2 nays. A motion was made by Beth Williams and seconded by Ken Ratliff to ratify the Mayor's appointment of Debbie Lee as the City Clerk. The motion was carried by a vote of 5 ayes and 2 nays.** Councilmember Harper redirected the committee to meet and bring back a revised ordinance to consider positions that may be coming up in the future. Members of the committee noted they are continuing to review the process as directed in the motion made after the Executive Session on 04/24/2023. Councilmember Williams read an excerpt from page 22 of the AWC Mayor & Councilmember Handbook, which reads "The statutes generally give the mayor or city manager, as chief executive the broad authority to hire and fire employees. The city council, however, determines the number employees that can be hired and those employees' duties. The council establishes salaries and other forms of compensation paid to city workers. The council may also establish job qualifications".*

b. Zipley Franchise Agreement Ordinance 1642 – Second Reading: *A motion was made by Steven Harper and seconded by Matthew Lundh to adopt Ordinance 1642 establishing a non-binding franchise agreement between the City of Cle Elum and Zipley Fiber. The motion carried unanimously.*

New Business

a. Added Agenda Item: Resolution provided to Council by Larry Stauffer: Councilmember Harper presented the resolution, which was emailed to all council members on May 7, 2023. The proposed resolution, introduced as a code enforcement action, includes requirement for a preliminary determination of the project's consistency with the comprehensive plan as outlined in the provisions of CEMC Section 14.30.240. Councilmember Harper commented that the contract planning official must be held to the letter of the process. Staff commented that the draft resolution was not provided to staff, legal or the Mayor. Mr. Stauffer asked in his email to the council members to approve this resolution. **A motion was made by Matthew Lundh and seconded by Steven Harper to adopt the Resolution (2023-xxx – to be determined by the City Clerk) requiring reissuance of the 47 Degrees North Notice of Application and resetting the public comment period.** Contract Planner Gregg Dohrn responded the process outlined in the Resolution would be followed, as he had indicated in his Planning report earlier in the meeting. **The motion carried unanimously.**

b. PWB Construction Load Contract: *A motion was made by Matthew Lundh and seconded by Sarah Lackey to authorize the Mayor to sign the Public Works Board Construction Loan Contract for the Second Street and Rosetti Way Water Main Project. The motion carried unanimously.*

c. Resolution 2023-008 – Procurement Policy: Rob Omans reported the update to the existing policy is to include Engineering services requirements. **A motion was made by Matthew Lundh and seconded by Sarah Lackey to adopt Resolution 2023-008 relating to the updated Procurement Policy as presented. The motion carried unanimously.**

d. City Council Consideration of Resolution 2023-009 Denying the City Heights Phase 2 Final Plat Application – removed from the agenda by motion

e. **Progress Estimate #2 – Park & Ride - \$164,006.58 for Pacific Civil & Infrastructures:** Mike Englehart reported this project is about 57% complete. *A motion was made by Ken Ratliff and seconded by Beth Williams to approve payment of Progress Estimate #2 for the Park & Ride Project in the amount of \$164,006.58 to Pacific Civil & Infrastructures. The motion carried unanimously.*

Committee Reports

- Councilmember Harper reported the Lodging Tax Advisory Committee met with the Chamber to discuss ongoing services. No action will be taken at this time.
- Councilmember Lundh reported the Parks Committee met to discuss locating the Dog Park in the WYE. They will be meeting with Public Works to determine what must be done to move forward.
- Councilmember Lundh reported the new Skatepark is progressing nicely. Councilmember Lackey commented that the old skatepark equipment has been stored at the water plant. It was reported the equipment has been removed.

Motion to Adjourn

A motion was made by John Glondo to adjourn the meeting. The mayor adjourned the meeting at 9:50 pm.

The next regular meeting is scheduled for Monday May 22, 2023, at 6:00 p.m.

Mayor 

Attest 