

**City of Kittitas  
Council Meeting Minutes  
April 28, 2009**

Mayor Huber called the meeting of the Kittitas City Council to order at 7:00 p.m., April 28, 2009. Councilmembers present: Gilmour, Camarata, Gay, Turpin, and Alvord.

Staff present was Clerk/Treasurer Robin Newcomb, Officer Brent Nierman, and Police Chief Mike Studer.

Mayor Huber led those assembled in the Flag Salute.

**APPROVAL OF MINUTES**

Councilmember Gay moved to approve the minutes from the March 24, 2009, regular meeting and Councilmember Camarata seconded the motion. The motion passed 4 yes and Councilmember Turpin voting no.

After some discussion, Councilmember Gay moved to approve the minutes from the April 14, 2009, regular meeting and Councilmember Alvord seconded the motion. The motion passed 4 yes and Councilmember Turpin voting no.

**ADDITIONS TO AGENDA**

Councilmember Alvord – complaint in executive session. Our attorney, Katherine Kenison, explained council should receive the complaint in executive session. Councilmember Turpin stated he disagreed with this and feels it is inappropriate for this complaint to be heard at this meeting since it wasn't on the agenda. Ms. Kenison explained as long as the complaint was filed with the city clerk it can be added to the agenda for executive session. Once in executive session, the person the complaint is on has the choice to continue in executive session or move it to open session in front of the public.

Councilmember Gay moved to approve amending this agenda and Councilmember Turpin requested to address the executive session as he doesn't believe it is appropriate to address pending litigation in executive session Councilmember Alvord seconded the motion. The motion passed 4 yes and Councilmember Turpin voting no.

**REPORT OF OFFICERS AND SPECIAL GUESTS**

**Katherine Kenison, Attorney** – She explained the difference between a public hearing and a public meeting and explained the two are often confused throughout many cities in the state. Just because it is open to the public does not mean the public has the right to speak at the meeting. Council meetings are by statute a business meeting the council holds. She encourages the citizens to understand the process. Councilmember Gilmour asked how citizens get on the agenda and she encouraged them to bring the issues to a council member or the presiding officer and have them place it on the agenda.

**Delinquent Report** – See handout. Councilmember Gilmour asked if we hold the landlords liable for collection on delinquent accounts. This usually isn't necessary since we shut their water off after 45 days delinquent.

**Treasurer Report** – See handout.

**City of Kittitas  
Council Meeting Minutes  
April 28, 2009**

**Kruisin' Kittitas Car Show August 8<sup>th</sup>** – Brenda McPherson explained the schedule of the events for the car show at Wilson Park. This is the 8<sup>th</sup> year for this event and usually 50-60 cars attend. There is a band and a DJ also. Councilmember Alvord explained she is concerned with the safety of the public at this event. Ms. McPherson explained there are controls in place including ecology blocks and she will review the insurance coverage at a later date with the mayor. Mayor Huber explained if the burn out was moved in front of the New Life Assembly Church the people might be kept back at a greater distance. Councilmember Gay moved to approve this car show with the understanding of making it a safe event and having adequate insurance coverage and Councilmember Gilmour seconded the motion. The motion passed 5 yes and 0 no.

Becky Bosch has donated a quilt designated for fund raising and the proceeds would go to the sign for the car show. Ms. McPherson would like approval for this sign to be placed right before Laura's Kitchen on city property and for Public Works Lead Bosch to place the sign in that location. Councilmember Turpin moved to having this sign put up and Councilmember Gilmour seconded the motion. The motion passed 5 yes and 0 no.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**National Day of Prayer Proclamation** – Mayor Huber read the National Day of Prayer Proclamation which is May 7, 2009.

**Revision of Council Rules of Procedure** – Councilmember Turpin would like to revise these rules to allow a citizen to add an item to the agenda at the council meeting. Katherine Kenison suggested the citizens contact a council member on a subject they would like added to the agenda and then has the council member add it rather than the citizen. After some discussion, council agreed no changes need to be made.

**New Council Members Requirement to Attend the Public Liability Workshop** – Mayor Huber explained he would encourage all members to attend this workshop. Katherine Kenison suggested we contact our insurance carrier regarding this matter because it is in the Council Rules of Procedure a good faith requirement to cooperate with our insurance carrier. She also stated many insurance carriers require public officials to attend a certain number of trainings on an ongoing basis for changes in the law and errors and emissions insurance can become void if these trainings aren't attended.

**APPROVAL OF PAYMENT**

**Approval of April Bills** – Checks #13168 to #13188 for \$8,502.59 were moved to be approved by Councilmember Turpin and seconded by Councilmember Camarata. The motion passed 5 yes and 0 no. Councilmember Gilmour questioned the payment to Greentree Support and was concerned with the cost of this.

**City of Kittitas  
Council Meeting Minutes  
April 28, 2009**

**MAYORS REPORT**

**Quarterly Budget Meeting with Departments** – Mayor Huber explained he met with the department heads this morning on the first quarter budget. Councilmember Camarata explained the biggest issue we have is the revenue coming in especially the building permit revenue. Councilmember Gilmour explained American Dream Homes hopefully will be building the remainder of their homes on Cole’s Crossing I this year.

**Warm Springs Contract** – The mayor will be meeting with the Clerfs and the attorneys next week on re-negotiating this contract.

**Community Garden** – Public Works Lead Bosch would like to put a community garden at Palmiero Park. City water would be used until a pump would get installed. Councilmember Alvord explained there is business that would like to exchange doing work at this park for advertising. It was questioned whether or not this would be possible.

**Council Notification of Absence from Council Meetings** – Mayor Huber explained he wishes a council member to contact two council members if they are going to be absent from a council meeting. Katherine Kenison explained it is in the best interest for a council member to notify the mayor, clerk, and/or a council member that they will be absent. She also explained if a council member misses three consecutive meetings they will be removed from office. Councilmember Alvord moved to approve amending the Council Rules of Procedures to read in section 2.1 “shall make direct contact” with the chair, city clerk, deputy city clerk, or fellow council member. Councilmember Turpin seconded the motion. The motion passed 5 yes and 0 no.

Councilmember Gilmour explained the code book states a council member only gets paid for the meetings they attend. Councilmember Gay explained he believes council should be paid for excused meetings. It was suggested this be reviewed at the next council meeting since past practice has been to pay council members for two meetings per month.

**END OF TAPE 1 SIDE 1**

**USDA RD Letter** – Mayor Huber explained the letter that USDA RD sent to the city regarding the condition of City Hall and the Fire Department will be discussed in more detail at a later date. Council members have this in their packets this week.

**COG Application Due May 15, 2009** -- A project needs to be decided upon for the COG grant. Linda Huber explained this needs to be for economic development for the community. Councilmember Gilmour suggests getting the infrastructure into the south end of town. After some discussion, Councilmember Alvord moved to approve the Main Street Sidewalk Phase 3 project including the infrastructure at the south end of town and Councilmember Gay seconded the motion. The motion passed 4 yes and Councilmember Gilmour voting no.

Councilmember Gilmour explained the City of Ellensburg passed impact fees which will open up opportunities for the City of Kittitas.

City of Kittitas  
Council Meeting Minutes  
April 28, 2009

**COUNCIL DISCUSSION**

**Fire Department Grant** – Councilmember Gilmour asked when Cal Jordan was going to move forward on the Fire Department Remodel. Mayor Huber explained he talked to Cal Jordan to continue forward with the Fire Department Grant.

**8:00 P.M. -- EXECUTIVE SESSION – TO RECEIVE AND EVALUATE A COMPLAINT AGAINST  
A COUNCIL MEMBER – 20 MINUTES**

**8:20 P.M. – MAYOR HUBER ANNOUNCED AN EXTENSION OF 10 MINUTES**

**8:30 P.M. – MAYOR HUBER ANNOUNCED THE RECONVENE OF THE COUNCIL MEETING**

Councilmember Alvord moved to recommend admonition section 15.4.1 – 15.0 Violation of council Rules of Proceedings in the Council Rules of Procedure based upon her complaint she filed with the city clerk against Councilmember Turpin for violating sections 2.4 “decorum” and 2.6 “council roles” as discussed in executive session. Councilmember Gay seconded the motion. The motion passed 3 yes and Councilmember Turpin and Gilmour voting no. Roll Call: Councilmember Camarata – yes, Councilmember Alvord – yes, Councilmember Gay – yes, Councilmember Gilmour – no, and Councilmember Turpin – no.

**ADJOURN**

Councilmember Turpin moved to adjourn the April 28, 2008, meeting. The motion was seconded by Councilmember Alvord. The motion passed 5 yes 0 no. Meeting adjourned at 8:34 p.m.

Mayor Huber \_\_\_\_\_

Attest: Clerk/Treasurer \_\_\_\_\_