

**City of Kittitas
Council Meeting Minutes
October 27, 2015**

COUNCIL MEETING

Mayor Huber called the regular council meeting to order at 7:00 PM on October 27, 2015. The Mayor led those assembled in the flag salute.

Councilmembers present: Darrel McLean, Ben Whitehurst, Jerry Lael, John Camarata and Jaime Huber. Staff present: Michelle Geiger – Building Official; Brenda Bach – WWTP; Brian Nash – Public Works; Chief Brent Nierman – Police; Judy Johnson – Library Board and Brenda Huston – Clerk.

APPROVAL OF MINUTES FOR THE REGULAR COUNCIL MEETING OF OCTOBER 13, 2015

MOTION: Councilmember Camarata made a motion to approve the minutes of the October 13, 2015 council meeting as presented; second by Councilmember Huber.

Motion Carried: 5 yes 0 no.

ADDITIONS TO AND APPROVAL OF AGENDA

Councilmember Camarata asked that the request from Dennis Cort to be added to the planning commission should be added to the agenda under new business. The Mayor added this to New Business as Item F Appointment of Planning Commission Member.

MOTION: Councilmember Lael made a motion to approve the agenda as presented with the above addition; second by Councilmember Whitehurst.

Motion carried: 5 yes 0 no.

PUBLIC APPEARANCE COMMENTS

At 7:01 PM Jeanette Bryant addressed the Council. She was concerned in that approximately 1 ½ years ago she was approached by citizens regarding the unrest at City Hall. She has attended a number of Council Meetings. She feels people are mistreated and belittled at council meetings. Faces are made at them and questions are unanswered and now there is the firing of an employee. As a concerned citizen, she feels citizens are not being heard. It is about how people are being treated. She feels the town should be given back to the citizens of Kittitas and their voices should be heard.

There was no further public comment.

REPORT OF OFFICES AND SPECIAL GUESTS

A. Staff Reports (informational only)

Brenda Bach – WWTP

- Brenda advised that they are in the process of getting the tank up and running, working on jet pumps at this time.

**City of Kittitas
Council Meeting Minutes
October 27, 2015**

- The BIO Solids permit is due at the end of November. The Department of Ecology and Nancy from Gray and Osborne is helping with this.
- The I & I report has been finished for the year.
- There has been a problem with the rain storm drainage. A smoke test was performed on the 27th of October and smoke came out where it was supposed to and did not come out of the pipe so the problem has still not been pinpointed as to where the water is coming from.

Judy Johnson – Library Board

- Judy advised that the Board Chair has resigned. There is a need for a new member on the board. Carolyn Earwood is proposed as an addition.
- The library is focusing on young readers. They are also encouraging families to use the library.
- She will be working on the Budget

Brent Nierman – Chief of Police

- Chief Nierman is prepping for the Police Department Budget for the upcoming budget year. He presented to the Council Law Incident Analysis for the period of October 26-2013 through October 25, 2014 and one for the period between October 26, 2014 through October 25, 2015. This would show schedules and the volume of calls during those times periods. These are current statistics for the Department but noted that they are not FBI statistics.

Michelle Geiger – Building Official

- Michelle received an e-mail from Nicole from the Yakima Basin Enhancement Project site. There is an invitation for those interested to tour the project site. Proposed dates are October 29, 2015 and November 4, 2015 from 1-5:00 PM. She would like a consensus as to who would like to attend. At this time, it was left to individual councilmembers to decide if they would like to attend.
- Verizon is approved. There are three solar panel permits; two on Clark Street and one on Okanogan. The Planning Commission met just before this meeting and has moved to recommend approval and it should be before the Council at the 2nd meeting in November.
- Regarding the trailer park issue, Michelle received a call from the Prosecuting Attorney's Office indicating that the Defendant claims it has been cleaned up. Michelle said that is not the case. The Prosecuting Attorney's Office will be calling again at the end of the week.

**City of Kittitas
Council Meeting Minutes
October 27, 2015**

- Michelle reports that work is in progress on the new website so that we can connect to GIS. It is more functional and user friendly to the community and the council. The City will be able to add more things to the site for public inspection. i.e. within the next month the permits and inspections reports will be on the site so contractors can pull it up online.

Brian Nash – Public Works

- Brian advised that the parks have all been winterized. Sprinklers have been blown out in preparation for the winter season.
- The week of November 2, the street lights will begin to be installed.
- PSE has sent him information. We are moving forward with the relighting program. We will be changing the high pressure sodium bulbs to LEDS.
- He will be working on his budget and ready to submit at the 1st meeting in November. The Mayor said that the budgets from department will be presented on the 10th of November.
- Brian advised that the second pouring of entry pads will occur the 2nd or 3rd week of November.
- Other than that his department is reading meters and keeping busy

NEW BUSINESS

A. Bias 2016 Annual Service Contract Renewal

- The new support contract was submitted to Council for their approval. It was noted that the contract is within \$200 of last year. Councilmember Camarata suggested it was a large amount of money but the general consensus of the Council was that it was not too much for what they offer to the City of Kittitas.

MOTION: Councilmember Huber moved to approve the Bias 2016 Annual Service Contract Renewal; second by Councilmember Lael.

Motion Carried: 5 yes 0 no.

B. 2016-2017 INERLOCAL Agreement between City of Kittitas and Kittitas County for Housing of Inmates

- Chief Nierman spoke to this agreement. He said that this was difficult to budget. A large number of housing space goes to probation violators and that amount comes back to the original agency. During the course of probation a violation might occur outside a particular budget year. He has researched jail cost of using other facilities. It is possible to find other places that would charge \$5

**City of Kittitas
Council Meeting Minutes
October 27, 2015**

- \$10 a day less. However the City would still be responsible for medical and transportation. We have been paying a blanket amount to the County, but the County is now calculating on a day to day basis.

- Councilmember Lael noted too that there may be a violator with multiple charges in more than one location and he might only be convicted on the Kittitas charge. Chief Nierman said the jail does do a good job in noting start and stop times for each agency appropriately.

MOTION: Councilmember Camarata moved to approve the 2016-2017 Interlocal Agreement between City of Kittitas and Kittitas County for the housing of inmates; second by Councilmember Lael.

Motion Carried: 5 yes 0 no.

C. Ordinance #15-034 Amending Chapter 13.28 – Law Income Senior Citizens Discount for Water/Sewer

- Michelle said that there are currently five people taking advantage of this senior citizen discount and three-five people who are border line to qualify.
- Arda Sandalow and Brenda Huston did some research as to how and why this amount was selected and what other cities may be doing. It is patterned by the federal poverty guidelines. The numbers on this proposed ordinance are going off the census and modeled after the City of Ellensburg.
- Mayor Huber offered that the senior citizen low and moderate income rate for our utility billings was a requirement of the lending agency of USDA World Development when we re-did the sewer plant. We went through the rate pricing at least two different times because they wanted the rate be established at a rate so we could redeem the debt that we incurred when we added onto the plant. They put that in the caveat on the low income senior citizens rates. The mayor noted that this is updating the ordinance from 2013 which is outdated.
- Michelle advised that we have three choices. The City can reference the Census data, the HUD Index which is annual or the Federal Poverty Guidelines. She advised the council that parties would have to reapply each year for the senior rate.
- She presented the council with a list of what each of these entities could offer. (copy of list included in this minutes packet)

MOTION: Councilmember Camarata moved to approve Ordinance No. 15-034 as presented wherein the senior citizen would provide proof that annual income is at or below 40 percent of the median income for the Kittitas County Micropolitan Statistical Area; second by Councilmember Lael.

Motion Carried: 5 yes 0 no.

**City of Kittitas
Council Meeting Minutes
October 27, 2015**

D. Ordinance #15-035 Amending Chapter 2.18 Planning Commission

- Michelle has had multiple business owners approach her to increase the Planning Commission membership to allow people outside the City limits to be on the Planning Commission.
- The City's attorney recommended illuminating the Planning Commission. Michelle doesn't feel this is a good approach for us. It is proposed to add two more members to increase the planning commission by two people bringing the total number of members to seven. This would include a commercial property owner who does or does not reside in the city limits and someone who resides within three miles of the urban growth area.
- Councilmembers Lael and Huber both liked this proposal. Councilmember Whitehurst inquired as to why three miles was selected. Michelle said it was because we are a small community. Most entities use six miles.

MOTION: Councilmember Lael moves for adoption of Ordinance No. 15-035; second by Whitehurst. A further motion was made by Councilmember Huber that the language should be within the unincorporated urban growth boundary vs the 3 mile radius of it. There was no Second to Councilmember Huber's motion.

Motion Carried: 5 yes 0 no.

E. Ordinance No. 15-036 Marijuana Ordinance

- Ordinance No. 15-036 is an ordinance of the City of Kittitas, Washington, establishing a six month interim zoning ordinance on the establishment, location, operation, licensing, maintenance or continuation of medical marijuana collective gardens, marijuana cooperatives retailers: providing for severability; and establishing an effective date.
- Michelle reports that this matter went to Planning Commission on October 13, 2015 and the recommendation of the Planning Commission was to adopt this ordinance.
- Michelle advises that the options were to prohibit or to allow it with conditions as set out in the proposed ordinance. If the council votes to prohibit than the City will forgo any tax revenue received. The ordinance as presented only allows retail in the CBD. But due to parks and schools in the area, it is limited as to location.
- The planning commission wants to watch it in the six month interim. The Planning Commission according to ordinance is responsible for new zoning or land use and they will make a recommendation to the council as the end of six months.
- Councilmember Lael agrees with Planning Commission proposal. Councilmember Huber asked if we banned it in the City of Kittitas, would the City be open to lawsuit.

**City of Kittitas
Council Meeting Minutes
October 27, 2015**

- Michelle advised that it is difficult to know because of pending Supreme Court case(s).

MOTION: Councilmember Huber moved to approve Ordinance No. 15-036; second by Councilmember McLean.
Motion Carried: 5 yes 0 no.

F. Appointment and Certification of Planning Commission Meeting

- Dennis Cort sent a letter to the Council showing an interest in becoming a member of the Planning Commission.

MOTION: Councilmember Camarata moved to appoint Dennis Cort to the Planning Commission; second by Councilmember Huber.
Motion Carried: 5 yes 0 no.

PAYMENT APPROVALS

MOTION: Councilmember Camarata moved to pay October 27, 2015 Payables in the amount of \$25,512.63; second by Councilmember Huber.
Motion Carried: 5 yes 0 no.

MAYOR'S REPORT

- The City is updating its website. A copy is made available of the front page of the site. Minutes, building inspection, etc. can be added to website to be made available to the public. There is a need for verbiage and new pictures. The Chamber is willing to have a link to their website.
- There is a need to renew the Kittitas County Emergency Medical Services. It has been a small one person show, but as population has grown, they have needed to add additional staff. Our payment for the program has gone up. It is a prorated share based on population. It is slated to increase from \$3,685 to \$5,384. There has been a ½ personnel position added and it is now necessary to pay rent. Rich Elliott would be happy to come to a Council meeting and speak to the services they provide. Council agrees to have Rich attend a meeting.

COUNCIL DISCUSSION

- November 10, 2013 will be first budget meeting.
- Department heads will report on Budget needs. Items to address are: Department goals and accomplishments; services supplies, staffing levels, needs for training and certifications, state of equipment, and grant and funding projects or applications. The proposed dollar amounts need to be presented at that time.

**City of Kittitas
Council Meeting Minutes
October 27, 2015**

- The meeting on November 10, 2013 will commence on 6:00 PM. Twenty minutes presentations will be provided to each department head with discussion to follow.

Meeting adjourned at 7:58 PM.

Attest:

Linda Huber, Mayor

Brenda Huston, Clerk