

Planning Commission

Agenda

October 1, 2024

6:00 PM

MAYOR
MATTHEW LUNDH

CITY ADMINISTRATOR
ROBERT OMANS

CITY PLANNER
COLLEDA MONICK

CITY CLERK
DEBBIE LEE



119 W FIRST STREET
CLE ELUM, WA 98922

PLANNING COMMISSION
GARY BERNDT - CHAIR
MATT FLUEGGE
JONATHAN CORNELIUS
MARC KIRKPATRICK
COLIN BRISSEY
PAUL KANTWILL
IAN STEELE

CITIZEN ALTERNATE
VACANT

Join Virtually with Zoom: <https://zoom.us/j/7573184018?pwd=dERndjBJVC9GdVQ1d2ISRExwZFhXZz09>
Meeting ID: 757 318 4018 Passcode: 98922

Join by Phone: 1-(253)215-8782, Meeting ID: 757 318 4018, Passcode:98922

 Receive city text alert notifications: text CLEELUM to 91896

DISCLAIMER: The City does not guarantee that virtual or telephonic access to the City Council meeting will be available and the City does not warrant audio quality. Attendees are encouraged to attend in-person.

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1. **Call to Order & Roll Call**
 2. **Public Comment - Limited to 5 Minutes**
 3. **Approval of Meeting Agenda**
 4. **Adoption of Minutes**
 - a. September 17, 2024
 5. **Business Requiring Public Hearings**
 - a. None scheduled
 6. **Planning Update**
 - a. Chair Gary Berndt
 - b. Planning Consultant Colleda Monick, Staff Announcements
 7. **New Business**
 - a. 17.24 Design Standards Discussion
Questions From Walking Tour
 - b. 17.90 Sidewalk Sales and Service of Food & Beverage
Ordinance 1558
Petition
 8. **Next Meeting Agenda Development**

Planning Commission Agenda October 1, 2024

119 W FIRST STREET
CLE ELUM, WA 98922

a. TBD

9. **Commissioner Comments and Discussion**

10. **Adjournment**

Upcoming Meetings:

Planning Commission Meeting: October 15, 2024 @ 6:00 p.m.

Regular Council Meeting: October 8, 2024 @ 6:00 p.m.

General Government Committee Meeting: October 23, 2024 @ 8:30 a.m.

Public Safety & Health Committee Meeting: October 15, 2024 @ 1:00 p.m.

Public Works & Community Development Committee Meeting: October 3, 2024 @ 12:00 p.m.

Lodging Tax & Event Committee Meeting: October 14, 2024 @ 8:30 a.m.

Coal Mines Trail Commission Meeting: October 7, 2024 @ 6:00 p.m.

City of Cle Elum
Planning Commission (CEPC) Meeting Minutes
City Council Chambers
September 17, 2024 | 6:00 PM

Call to Order

Chair Berndt called the meeting to order at 6:00 PM

Roll Call

CEPC Members Present: Chair Gary Berndt, Vice Chair Paul Kantwill, Marc Kirkpatrick, Ian Steele, Matt Fluegge and Jon Corneilus

CEPC Members Absent: Colin Brissey and Matt Fluegge. Commissioner Kantwill made a motion to excuse Commissioners Brissey and Fluegge. Commissioner Cornelius seconded. Motion carries.

Staff Present: Colleda Monick

Citizen Comments on Non-Agenda Items

Russ Weaver, property owner of Mike's Tavern & Señor Bones House of Burritos.

Mr. Weaver requested the Planning Commission to consider amending CEMC 17.90.020 (G), which requires the removal of outdoor dining spaces from November 1 to April 1. He requested that the Planning Commission consider amending this regulation to allow outdoor dining year-round without seasonal restrictions. They have owned the tavern for 7-8 years and handle their own snow removal, which they believe is the primary reason for this enforcement. Maintaining outdoor dining during the winter supports employment. They conducted an informal petition, gathering 200 signatures in favor of winter outdoor seating. They also spoke with Aaron Barr from Public Works, who indicated that the city currently lacks an official snow removal plan.

Shannon Weaver, property owner of Mike's Tavern & Señor Bones House of Burritos

Mrs. Weaver echoed Mr. Weaver's comments. As the manager of Mike's Tavern, she emphasized the effective management of the outdoor garden and noted that Cle Elum is a "snow town." She highlighted that from a tourism perspective, maintaining outdoor dining during winter could be an attraction. She also confirmed that they remain in compliance with the Washington State Liquor and Cannabis Board, as well as in compliance with city permits.

Chair Berndt – requested to see a copy of their permit.

Lauren Schuck, of 306 W Third Street, spoke in support of Mike's Tavern, where she is a regular patron. She advocated for flexibility in regulations, describing the tavern as a valuable community resource that often serves as a de facto town hall. She also noted that outdoor seating is a more COVID-friendly option.

Adoption of Minutes

Commissioner Kantwill motioned to accept the August 20, 2024 minutes as presented. Commissioner Cornelius seconded. Motion passed.

There was no meeting on September 3rd, 2024, due to a lack of quorum.

Public Hearing- City Planning

None Scheduled

Staff Report

Chair Gary Berndt

- No updates.

Commissioner Cornelius, Climate Advisory Committee

- Climate Policy Advisory Team (CPAT) There is a plan for an open house on September 24th mid-day at 11:30 am and again one hour prior to the Council meeting at the Senior Center.

Colleda Monick

- The City Council will hold a Closed Record Public Hearing on September 24, 2024 for the Kittitas County Public Works Search and Rescue Facility.
- Public Hearing for a Conditional Use permit was held on September 4th, 2024 at 2 PM. Awaiting Hearing Examiner decision.
- Historic Preservation Committee will begin reconvening in the near future. Historic Preservation can have up to two members outside of city limits.

New Business

1. Continuation of Multi-Family Residential (17.20) zoning amendments discussion. The planning commission discussed and made the following additional recommendations/clarifications:
 - Discussion regarding density
2. 17.24, (Downtown Commercial) Old Town Commercial Design Standards Walking Tour. The Commissioners walked the district discussing existing standards, considering building materials, setbacks, parking, and unique architectural elements of existing buildings.

Citizen Comments on Agenda Items

None

Next Meeting Agenda Development

1. 17.24 continued discussion, design standards
2. 17.90 – Sidewalk Sales and Service of Food and Beverage
3. 4th Quarter Planning Matrix Update

Commissioner Comments and Discussion

Adjournment

Chair Berndt called for a motion to adjourn. Commissioner Corneilius motioned and Commissioner Kantwill seconded to adjourn the meeting at 7:20 p.m. and to reconvene on October 3rd, 2024 at 6:00 p.m.

Chair Berndt

Date



Questions for discussion:

1. Are there existing design standards that effectively contribute to the preservation of the historic character of the downtown area? If so, which ones should be prioritized for retention or even enhancement?
2. Do the current requirements for building facades and setbacks promote a pedestrian-friendly environment, or do they limit the potential for creative or varied architectural designs that could benefit the community?
3. Are the standards related to the use of specific architectural elements (e.g., cornice lines, awnings, second-story windows) too restrictive, or do they successfully maintain the integrity of historic structures? Should any adjustments be made to encourage more diverse architectural elements while respecting the historic context?
4. Would it be beneficial to restrict the design standards to a specific area within the Downtown Commercial area? If so, which areas should be prioritized, and how might this impact the overall cohesion and character of downtown?
5. Should the design standards be maintained but allow for deviations through a Conditional Use review process? How might this flexibility encourage innovative designs while ensuring that the core objectives of the standards are met?

Existing Design Standards: CEMC 17.24.090

1. Building facades facing public streets and/or sidewalks shall create a continuous, interesting facade along the length of the facade. Buildings shall be constructed adjacent to the public sidewalk with no setbacks between the right-of-way and the structure permitted.
2. New structures on corner lots shall be designed to emphasize their prominent location. Primary building entrances shall be located at the street corner.
3. Service and delivery access shall be located away from the pedestrian streets with access from the alley where possible.
4. New structures and improvements shall incorporate design elements which will maintain the integrity of the existing historic structures and respect the historic character of the downtown area. The following design characteristics shall be included for new or remodeled structures:
 - a. Reflect the cornice line of existing historic structures.
 - b. Use windows, materials and details similar to the historic properties.
 - c. Use similar building modulation and proportions.
 - d. Large ground level display windows.
 - e. Clearstory windows above the display windows should be used.
 - f. Retractable fabric or self-supported awnings. Awnings and overhangs shall be supported by the building and not by supports placed in or upon the public right-of-way. No awning or overhang shall extend more than forty percent of the distance between the property line and the outside edge of the curb and shall maintain a minimum vertical clearance of ten feet.
 - g. Flat roof with parapets.
 - h. Constructed of brick or wood frame with brick or stone facades.
 - i. Two story construction with retail on the bottom floor and office or residential uses above is encouraged.
 - j. Second story windows should be double hung windows that are taller than they are wide.
5. Protect and preserve buildings of special historic significance and merit (see city list) by:
 - a. Retaining or restoring as many historic features as possible outside and inside, if appropriate.
 - b. Maintaining or restoring original proportions, dimensions or architectural elements.
 - c. Selecting paint and materials (often brick) which are historically accurate, coordinate the entire facade, and respecting adjacent buildings.
 - d. Consulting available historic resources for assistance and detailed information.
 - e. Incorporate historical photographs and information about the building, if available.
6. Off-street parking shall be located behind buildings and screened from streets by landscaping or structural elements.

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON

SS

COUNTY OF KITTITAS

TERRY L. HAMBERG, being duly sworn on oath, deposes and says that she is the publisher of the *NORTHERN KITTITAS COUNTY TRIBUNE*, a weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the Superior Court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a weekly newspaper in Cle Elum, Kittitas County, Washington, and is now and during all of said time was published in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a true copy of *City of Cle Elum*

NOTICE OF ADOPTION CITY OF CLE ELUM ORDINANCE NO: 1558

Notice is hereby provided that the City of Cle Elum did adopt **Ordinance No. 1558: AN ORDINANCE OF THE CITY OF CLE ELUM, WASHINGTON, REPEALING AND RE-ESTABLISHING CLE ELUM MUNICIPAL CODE CHAPTER 17.90 RELATING TO SIDEWALK SALES AND SERVICE OF FOOD AND BEVERAGE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE OF Thursday, June 13, 2019.** Ordinance No. 1558 may be examined in its entirety at the Cle Elum City Hall, 119 West First Street, between the hours of 9:00 am and 4:30 pm Monday thru Thursday; 7:00 am to 3:30 pm on Friday; or a full text can be mailed upon request.

For additional information or questions, please contact the Cle Elum City Hall at (509)674-2262.

Kathi Swanson
City Clerk

(Published In the N.K.C. TRIBUNE, June 13, 2019)

*Adoption of Ordinance
#1558 repealing and re-establishing
CEMC Chapter 17.90 relating
to sidewalk sales and
service of food*

as it was published in regular issues (and not in supplement form) of said newspaper once a

week for a period of 1 subsequent weeks,

commencing on the 13th day of

June, 2019 and ending on the
____ day of _____, 2019,

both dates inclusive, and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the

sum of \$ 43.20, which amount has been paid in full.

Terry L. Hamberg
Terry L. Hamberg

Subscribed and sworn to before me this 14th day of

June, 2019.

Jana E. Stoner
JANA E. STONER

Notary Public in and for the State of Washington, residing at Cle Elum, County of Kittitas. Expires 07/01/2022.



CITY OF CLE ELUM
WASHINGTON
ORDINANCE NO. 1558

AN ORDINANCE OF THE CITY OF CLE ELUM, WASHINGTON,
REPEALING AND RE-ESTABLISHING CLE ELUM MUNICIPAL CODE
CHAPTER 17.90 RELATING TO SIDEWALK SALES AND SERVICE OF
FOOD AND BEVERAGE; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Title 17 of the Cle Elum Municipal Code (“CEMC”) contains the zoning regulations for the City of Cle Elum; and

WHEREAS, the City Council adopted Resolution 2017-011, the 2017 Downtown Revitalization Plan Preferred Alternative, which includes additional space on sidewalks, new lighting, and street furnishings which will revitalize the downtown commercial core; and

WHEREAS, the revitalized downtown will be capable of supporting sidewalk services and sales beyond what the current sidewalks are capable of accommodating; and

WHEREAS, businesses within Cle Elum’s Commercial zones may obtain a permit to display merchandise, and/or place tables and chairs on the public sidewalk outside their places of business for the purpose of sales and/or for the serving of food and beverage, including alcoholic beverages; and

WHEREAS, food carts within the City’s Commercial zones may obtain a permit to serve food and beverage upon City sidewalks or parking strips, including placement of tables and/or chairs on the public sidewalk outside of their food carts for the purpose of serving food and beverage; and

WHEREAS, the City issued a State Environmental Policy Act (SEPA) Checklist and Determination of Nonsignificance (DNS) on the ordinance on May 7, 2019, received no public comments, and retained the DNS on May 22, 2019; and

WHEREAS, the City submitted the proposed ordinance and SEPA package to the Washington State Department of Commerce on May 7 for an expedited review, which was granted on May 21, 2019; and

WHEREAS, the Cle Elum Planning Commission held an open record public hearing on June 4, 2019, and receiving no public testimony voted to direct staff to recommend adoption of the proposed code amendment to the Cle Elum City Council on the Commission’s behalf; and

WHEREAS, the City Council did discuss and deliberate on the proposed code amendment at their regular meeting held June 11, 2019; and

WHEREAS, the City Council finds that limited portions of City sidewalk areas can be appropriate locations for the sales of merchandise and service of food and beverage, including alcoholic beverages when authorized by applicable state liquor laws, as an extension of an adjacent business fronting directly upon the sidewalk, subject to reasonable terms and conditions of a sidewalk use permit to be issued by the City Planner or designee; and

WHEREAS, the Cle Elum City Council finds that the proposed additions and amendments to Chapter 17.90 CEMC will benefit the public interest, will serve to protect the public health, safety and welfare, and will lead to more consistent application of zoning standards within the City.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF CLE ELUM, STATE OF WASHINGTON, DO ORDAIN as follows:

Section 1. Repealer and Re-Enactment of Chapter 17.90 CEMC. ("Sidewalk Sales and Service of Food and Beverage"). Cle Elum Municipal Code Chapter 17.90 entitled "Sidewalk Sales and Service of Food and Beverage" is hereby repealed in its entirety and a new CEMC Chapter 17.90 is hereby re-enacted to read as follows:

CEMC 17.90 Sidewalk Sales and Service of Food and Beverage.

17.90.010 – Purpose.

17.90.020 – Sidewalk Use Regulations.

17.90.030 – Permit Approvals.

17.90.040 – Validity.

17.90.050 – Enforcement.

CEMC 17.90.010 – Purpose.

The City of Cle Elum supports local economic development and vitality and promotes the safe and reasonable use of sidewalks and abutting parking strip areas in commercial zones for the sales of merchandise and the service of food and beverages pursuant to obtaining a sidewalk use permit.

CEMC 17.90.020 – Sidewalk Use Regulations.

Sales of merchandise and service of food and beverages on sidewalks or parking strips, by current abutting business owners or by an approved food cart (with signed approval from the abutting property owner), both with valid City business licenses shall be reviewed pursuant to the criteria below. Abutting business owners and food cart operators are hereafter collectively referred to as "merchants".

A. Sidewalk sales authorized under a sidewalk use permit shall only be permitted to display merchandise for sale during the business hours of operation for the owner of the adjacent business. The City shall authorize business hours within the permit.

- B. There is left a free, unobstructed and adequate area for passage of the public that is a minimum of five linear feet;
- C. The city may limit the size and number of tables and chairs used for sidewalk sales and services;
- D. Service of alcohol shall require the following or as authorized by the Washington State Liquor and Cannabis Control Board regulations ("LCCB"):
- i. An approved and current license issued by the LCCB;
 - ii. If alcohol is served, a barrier no less than 42 inches in height is required. The barrier must be a physical structure that bars movement between two areas and must be movable. The barrier cannot be affixed to the sidewalk surface;
 - iii. All tables, chairs, and barriers must be visible directly from the interior of the business;
- E. All objects placed on the sidewalk must be wind firm and approved by the City Planner or their designee;
- F. Merchants may not allow electrical cords or other obstructions to be placed across the sidewalk;
- G. All permanent and temporary or moveable sidewalk objects and barriers must be off of the sidewalk during the winter months defined as November 1-April 1;
- H. The business owner shall be responsible for removing all trash, garbage, refuse, debris, or any other objects upon the public sidewalk. Any person, firm, or corporation who violates this section may be subject to enforcement pursuant to CEMC 8.60 – Code Enforcement;
- I. The merchant makes adequate provision for safe-guarding the public against injury to person and damage to property;
- J. The merchant agrees in writing on a form provided by the City, to indemnify and save the city harmless from all claims, suits and liabilities arising in any way out of such use of the sidewalks and/or parking strips;
- K. The merchant shall provide proof of insurance with limits and requirements as set forth in the current sidewalk use permit application.
- L. A food truck (as defined in CEMC 17.08) shall be permitted to park in a safe location adjacent to a public sidewalk or entirely within private or public property and serve customers from the food truck directly onto a public sidewalk, as

permitted by the City with an approved Sidewalk Use Permit. Food trucks may request a Sidewalk Use Permit to cover multiple locations, at the discretion of the City Planner. Food trucks shall not serve customers directly into a street or road, unless granted specific permission to do so within the Sidewalk Use Permit, such as for special events or neighborhood festivals.

i. Awnings extending from food trucks shall be easily retractable or removable to adjust for high winds and prevent injury or damage to property.

CEMC 17.90.030 – Permit Approvals.

A. The City Planner or their designee is authorized to issue sidewalk use permits for the purpose of allowing the use of city sidewalk areas for the display and sales of merchandise and the service of food and beverage, including alcoholic beverages when authorized by applicable state liquor laws, as an extension of a permittee's adjacent business fronting directly upon the sidewalk..

B. A permit application (and associated fee pursuant to the City Fee Schedule) shall be submitted and approved under such terms for the public safety and convenience as the City shall prescribe, including:

1. Description of the types of goods and/or services proposed;
2. Operating days and hours of the sidewalk use;
3. A site plan of the sidewalk area between the building and curb, describing the following:
 - i. Doorway and window locations of the building;
 - ii. All permanent and temporary or movable sidewalk objects (e.g., City or private flower planters, street tree wells, umbrellas or awnings, street signs, bike racks, trash receptacles, street lights, A-frame signs, etc.);
 - iii. Description of method by which all objects will be made wind firm.
 - iv. Proposed seating area—number and location of all proposed tables and chairs;
 - v. Width of sidewalk in feet (from building to curb);
 - vi. Distance in feet between sidewalk objects and barrier or seating area, including depiction of 5-foot minimum unobstructed passage;
 - vii. Distance in feet between each table, chair, barrier and the adjacent building and curb;

viii. Locations of adjacent driveways, alleys, and/or curb ramps;

ix. If required for alcohol service, the location of the required barrier.

4. Signed indemnification statement on the form provided for by the City; and

5. Certificate of Liability Insurance with limits and requirements as set forth in the side walk use permit.

C. The City Planner or their designee have the authority to inspect the sidewalk use at any time and may immediately revoke a sidewalk use permit upon finding a violation of this chapter.

D. Sidewalk use permittees shall be authorized to use the sidewalk under the terms of a valid permit between 6 a.m. and 10 p.m. seven days a week.

CEMC 17.90.040 – Validity.

Permit approvals shall generally be valid for a period of one calendar year beginning in January each year. Where information upon the original application remains the same, or updates or amendments to the application do not substantially change the permitted use, the permit will remain valid. However, the permit shall require a formal review should the permitted use change, as directed by the City Planner.

CEMC 17.90.050 – Enforcement.

Permit requirements shall be enforced by the Code Enforcement Officer, per CEMC 8.60.

Section 2. Severability. Should any portion of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

PASSED BY THE CITY COUNCIL OF CLE ELUM AT A REGULAR MEETING THEREOF
ON THE 11th DAY OF June, 2019.

CITY OF CLE ELUM


Jay McGowan, Mayor

ATTEST/AUTHENTICATED:



Kathi Swanson, City Clerk

Approved as to form:

Alexandra L. Kenyon, City Attorney

Filed with the City Clerk:

Passed by the City Council:

Date of Publication:

Effective Date:

CITY OF CLE ELUM
PLANNING COMMISSION SPECIAL MEETING
Meeting Minutes
04 June 2019 6:00

1. **Roll Call and Call to Order**

The meeting was called to order at 6:01 pm by **Kerry Clark**. Also in attendance were **Pam Hawk, Devin Smith, and Matthew Lundh**. Staff present was Planner Lucy Temple and Planning Technician Isaac Anzlovar. *Matthew Lundh made a motion to excuse Matt Fluegge. Pam Hawk seconded and the motion passed unanimously.*

2. **Set Agenda**

Planning Technician Anzlovar asked the Commission if they would consider adding a discussion about the proposed 2019 Comprehensive Plan Land Use Map during the unfinished business section of the meeting. *Devin Smith made a motion to set the agenda with an additional discussion about the proposed 2019 Comprehensive Plan Land Use Map during the unfinished business section of the meeting. Pam Hawk seconded and the motion passed unanimously.*

3. **Review of the minutes**

None.

4. **Announcements, Appointments, Awards, & Recognitions**

None.

5. **Citizen Comments on Non-Agenda Items (limited to 5 minutes)**

None.

6. **Public Appearances**

None.

7. **Business Requiring Open Hearing**

• **Sidewalk Sales Ordinance**

Planner Temple introduced the proposed Sidewalk Sale Ordinance. The review packet for the Ordinance was provided to the Commission in their meeting packets. *At 6:13 pm Kerry Clark opened the open hearing for the Sidewalk Sales Ordinance.* There were no public comments. *Kerry Clark closed the open hearing on 04 June 2019 at 6:13 pm and the Commission went into deliberations.* The Commissioners had no additional comments regarding the Ordinance. *Pam Hawk made a motion to recommend that the City Council approved the Sidewalk Sales Ordinance. Matthew Lundh seconded and the motion passed unanimously.*

8. **Unfinished Business**

• **Zoning Map Update**

Planning Technician Isaac Anzlovar presented the Commission the most recent draft Zoning map that contains the edits from the 21 May 2019 Zoning Map Open House. **Devin Smith** addressed that Multi-Family Residential needs to include all parcels facing on both sides of Second Street from N Oakes Ave to the East border of Flagpole Park (Parcel No. 10357). *A motion was made by Matthew Lundh to accept the new draft zoning map with the addition of all parcels facing both sides of Second Street from N Oakes Ave to the East border of Flagpole Park (Parcel No. 10357) to be rezoned to Multi-Family Residential zoning. Pam Hawk seconded and the motion passed unanimously.*

1 • Land Use Map Update

2 Planning Technician Anzlovar presented the Commission with the most recent draft
3 of the 2019 Comprehensive Land Use Map. Anzlovar explained that the map is
4 consistent with the recent proposed Zoning map changes. Devin Smith asked staff to
5 research if combining the Multi-Family Residential and Residential Land Use
6 Districts into one Residential Land Use district would push back the City's 2019
7 Comprehensive Plan 60 day Washington State Department of Commerce comment
8 period end date.

9 **9. New Business**

10 None.

11 **10. Staff Report**

12 Planner Temple asked the Commission to think about using a Hearings Examiner for
13 making the permit decisions for Variance 2019-001 and Condition Use Permit 2019-002,
14 both of which are for a proposed wireless communications facility. Temple also
15 explained that the Applicant wants to host an open house in August for the project so they
16 can address any of the public's comments or concerns before the open public hearing for
17 the permits.

18 **11. Report of Committees**

19 None.

20 **12. Comments from Commissioners and/or Staff**

21 None.

22 **13. Adjournment**

23 *A motion to adjourn was made by Matthew Lundh and seconded by Pam Hawk. The*
24 *motion carried unanimously. The meeting adjourned at 7:49 pm on 04 June 2019. The next*
25 *regular meeting will be on Tuesday 18 June 2019 starting 6:00 pm.*

To City of Cle Elum
Regular City Council Meeting
June 11, 2019

Call to Order – Roll Call of Membership

The meeting was called to order by Mayor McGowan at 6:03 p.m. The Pledge of Allegiance was recited. Members present were John Glondo, Steven Harper, Mickey Holz, Beth Williams and Ken Ratliff. Tom Hastings and Ron Spears were absent. Staff present was City Administrator Robert Omans, City Planner Lucy Temple and City Clerk Kathi Swanson. Benjamin Annen of HLA was also present. *A motion was made by Steven Harper and seconded by Mickey Holz to excuse Tom Hastings and Ron Spears. The motion carried unanimously.*

Approval of the Meeting Agenda

A motion was made by John Glondo and seconded by Mickey Holz to accept the agenda as presented. The motion carried unanimously.

Announcements – Appointments, Awards and Recognition

None

Consent Agenda

A motion was made by John Glondo and seconded by Beth Williams to accept the consent agenda as presented, which included the minutes of the 05/28/19 Regular Council Meeting; 06/11/19 EFTs and Vouchers #41174 – 41229 in the amount of \$185,398.43; and 05/31/19 Payroll Vouchers in the amount of \$137,134.81. The motion carried unanimously.

Officer Reports

City Administrator, Building Official and Network Administrator: - Robert Omans:

- Reported the City issued 8 building permits with a valuation of \$1,344,766.02 and for \$15,086.44 in fees; and performed 51 building inspections in May.
- Reported the Department of Commerce, Energy Division, has awarded the City of Cle Elum a grant in the amount of \$136,000 to upgrade heat and lights at the water plant and pumping station. The City had also applied for a grant for a solar array at the water plant; that grant was not awarded to the City. Omans will be attending a webinar on Thursday 06/13/19 to learn more about the grant that was issued. Omans reported the City will have to come up with 2/3 funding for the project and the bid was close to \$400,000. *Council member Ken Ratliff asked how much the City will have to come up with; Omans responded it would be about \$272,000. Council member Ratliff asked for more information.*
- Reported the Office of Financial Management has estimated the population for 2018 at 1875, an increase of 3 from 2010 when the count was 1872.
- Reported signage has been installed at City Hall as a result of a 50% grant from the Downtown Association.

City Planner – Lucy Temple:

- No Report

Interim Police Chief – Sergeant Bland:

- Provided a 1st half summary report of Bookings and Citations/Infractions.
- Reported Chief Ferguson is recovering well from his surgery.
- Reported the Department is moving forward to fill the Corporal position, with 5 officers applying for the position. A hiring decision will be made in July.
- Reported the Department has applied for a grant for tactic gear through Law and Justice.
- Reported he has completed the armory course.
- Reported the Department has had their I-Phones upgraded for free.
- Reported on the arson/burglary incident which occurred early in the morning on 05/28/19. The case is under investigation.

- Reported the Department conducted the Bill Rolcik Scholarship ceremony at the High School, where they gave out 3 scholarships rather than two, in remembrance of the loss of Ryan Thompson in the line of duty earlier this year.
- Reported the Department is looking into grants specifically for the Police Department building security.

Public Works – Mike Engelhart:

- Reported the iWorQ program is working well, with 28 inquiries since the last meeting.
- Reported the crews are repairing pot holes due to the upcoming chip seal project the County will be doing. Citizens will be informed well ahead of time and minimal impacts are planned for.
- Reported water meters are still an issue; he has a Request for Proposals out to replace the failing meters.
- *Mayor McGowan reported Public Works has made very good use of the camera truck, which has been used in our community as well as Roslyn and Ronald.*

Veolia – William LaRue:

- Provided graphs of the Water Plant Flows, Run Times, Precipitation, Wastewater Flows and Water versus Wastewater Plant Flows for May 2019.
- Thanked Robert Omans for looking into the energy grant.
- Reported both plants are running well with no issues or problems.
- Reported the Wastewater Treatment Plant has 1 basin off-line this time of year, which is normal. That basin will be cleaned and inspected when fully drained.

Fire Department – Chief Ed Mills:

- Reported 41 responses for the month of May, including 2 fire calls, 33 EMS, 3 service calls and 3 good intent responses.
- Reported the Department has ordered a new light bar for one of the brush trucks because the old one is not working properly.
- Reported Engine 511 has been taken out of service and sent to Yakima for electrical repairs.
- Reported the Department is working on updating a ten-year strategic plan.
- Reported the Department is working on a presentation to the council and city residents regarding purchases from the current levy and the benefits and savings provided by that levy.
- Reported the Department responded to an early morning fire on 05/28/19 at a residence in Cle Elum. The County Fire Marshall investigated the fire with the use of an arson dog. The investigation is ongoing.

Public Appearances

None

Business Requiring Public Hearing

None

Unfinished Business

None

New Business

- a. **Ordinance No. 1558 – Sidewalk Sales and Service:** City Planner Lucy Temple presented the Ordinance to Council, noting it was vetted through the legal process and the Planning Commission has reviewed the Ordinance. The Planning Commission recommends adoption of the ordinance by the City Council. At this point, there is no set fee; however in 2020, sidewalk sales and outside cafes must submit an application. Council may be asked to update the fee schedule if they want a fee to apply. *Council member Steven Harper asked to go on record stating this ordinance opens up sales and the use of alcohol on our City streets. A motion was made by John Glondo and seconded by Beth Williams to adopt Ordinance Number 1558 as presented. The motion carried unanimously.*

- b. **Resolution No. 2019-009 – Surplus 4 Police Vehicles:** Sergeant Bland noted the vehicles listed are unsafe to drive. Mayor McGowan reported 2 will be scrapped and 2 may be available for possible re-sale. *A motion was made by Steven Harper and seconded by Mickey Holz to adopt Resolution No. 2019-009 as presented. The motion carried unanimously.*
- c. **Resolution No. 2019-010 – Emergency Declaration:** HLA Engineer Ben Annen read a letter into the record from Patti Johnson of the Kittitas County Solid Waste Program asking the City of Cle Elum to declare an Emergency and allow the water line extension to continue to the Upper County Transfer Station from the current nearby housing project. Resolution 2019-010 would allow the City to waive the public bidding process and allow the construction company on site at the housing project to do the work. Annen noted the City Attorney had some reservations that the emergency is not life threatening. After discussion, council members agreed Kittitas County should have been the entity to declare a state of emergency and that someone from the County should have attended this meeting to present their case. Council members also noted the City cannot approve an extension without a water right; and the County can get a well right and put in another well. *There was no motion to approve and the Resolution did not pass.*
- d. **Interlocal Agreement with Kittitas County:** HLA Engineer Ben Annen noted that, because Resolution 2019-010 did not pass, and no emergency was declared, the project to extend the utilities to the proposed new Kittitas County Shop will continue as originally planned. The Interlocal agreement provides for Kittitas County to reimburse the City for the costs of labor, equipment, engineering and materials used in the utility extension project. Annen commented the City will likely elect to go through the bidding process since no emergency was declared. *A motion was made by Steven Harper and seconded by Beth Williams to adopt the Interlocal Agreement between Kittitas County and The City of Cle Elum for the utility extension to the new Kittitas County Shop. Steven Harper, Beth Williams and John Glondo voted aye; Mickey Holz and Ken Ratliff voted nay. The motion carried with a vote of 3-2. The City will coordinate with the County with regard to the competitive bid process.*
- e. **Contract Award for DJB Construction LLC for First Street Stormwater and Billings Avenue Intersection Improvements:** HLA Engineer Ben Annen reported to council that 3 bids were received, all of which averaged about 51% over the Engineer's estimate. The low bid was \$1,581,615.00 by DJB Construction. Annen has contacted the Department of Commerce, which agree to an additional \$25,000 in grant funding. TIB will allow the entire \$400,000 Complete Street grant to be used for the Stormwater Project; however the Stormwater project for \$150,000 and the \$250,000 revitalization project for the north block from Billings to Oakes must both be completed. HLA suggested a loan from USDA at 3.5% interest over 20 to 30 years; however, the City Treasurer found similar local/private financing. Annen also contacted DJB Construction LLC to eliminate traffic control and ADA surveying to reduce the amount of their bid by about \$120,000; which they agreed to do. This would leave about \$400,000 for the City to pay. *A motion was made by Ken Ratliff and seconded by Mickey Holz to reject the bid at this time and to put the project out for bids in October or November. The motion carried unanimously.* City Planner Lucy Temple thanked Ben Annen and HLA for their efforts in obtaining alternative plans to make the project work at this time.

Committee Reports

Steven Harper - Cemetery: Reported the Cemetery Committee met to discuss applying for a capital grant from the Department of Archeology and Historic Preservation. The grant funding can be used for construction, renovation or rehabilitation projects within the City's cemetery. The committee recommends that the City enter into an agreement with HLA, with the intent that HLA will write the application for the grant. The committee also recommended that HLA's fee of approximately \$2,500 be paid by an application to the City Lodging Tax Advisory Committee. If the Lodging tax grant is unsuccessful, the Committee recommends the funds be directed from the General Fund as a line item change and transfer. The goal of this grant would be to raise between \$25,000 to \$50,000 to be used toward the repair and preservation of the cemetery with a priority on irrigation system repairs and upgrades. The committee understands that the grant is not guaranteed to be awarded, but judged in good faith that it is a worthy risk and the City has many factors going in its favor, including the age of the cemetery, the City has not applied for this grant in previous years, there is a National Historic Monument located in the cemetery, there is a higher percentage of veterans and historic burials in the cemetery, there is a Lithuanian Community Monument and a section devoted to the Russian community. *A motion was made by Steven Harper and seconded by Ken Ratliff to authorize HLA Engineering to write a grant application on behalf of the City for the Department of Archaeology and Historic Preservation Historic Cemetery Preservation Capital Grant. The motion carried unanimously.*

A motion was made by Steven Harper and seconded by Ken Ratliff to amend the agenda to allow citizens who came in late due to the meeting time change to speak under "Citizen Comments on Non Agenda Items". The motion carried unanimously

Citizen Comments on Non-agenda Items

- a. **Debbie Bogart – Cle Elum Downtown Association:** Stated she is disappointed the Stormwater project is being delayed and encouraged the City to get the bids out in the fall for Spring of 2020
- b. **Christine Oxley – Tuckaway Antiques:** Reported the building the Tuckaway is located in has sold and the new owner is asking them to prove they make money so they can stay in the same location. Ms. Oxley noted the Car show always has a positive influence on their business; however it will not be located in downtown Cle Elum this year. Ms. Oxley also commented the 3 on 3 Basketball Tournament closes the street in front of her store, which has a negative impact on their business. Ms. Oxley asked the City to reconsider and have the car show in the downtown. *City Planner Lucy Temple responded that the car show is not a city event, but a private one put on by the Rotary and it was their decision to locate the show at the Cle Elum School Parking lot this year.*

Motion to Adjourn

A motion was made by Steven Harper and seconded by John Glondo to adjourn. The meeting adjourned at 7:25 p.m. The next regular scheduled meeting is Tuesday June 25, 2019 at 6:00 p.m.

Mayor

Attest



Petition to change city code 17.90.020 line G to
allow year long use of sidewalk space.

Line G. All permanent and temporary or moveable sidewalk objects and barriers must be off of the sidewalk during the winter months defined as November 1st through April 1st

Citizen Name:

Citizen Phone Number:

Amy Macdonald
Steve Flewellen
DORA BERTA
Daniel A. Berta
Geri & Greg Ackerman
Thad VAUGHN
Jodi Maisel
Nathan Pool.
Suzanne Cragin
LAURIE PENDERGRASS
Dawn Roberts
Heather Stull
ALAN A. JOHNSON
GREG S. THOMAS
Rebecca Hackett
Bill Spahn
Connie Wanechek
Gayle Picken

(206) 450-4161
(206) 681-8078
206-786-2071
206-786-2070
253-858-1959
509-674-6370
(206) 890-2363
425-345-5874
206 295 1972
253 370 3540
202 349-7122
→ 253-592-1700 (Koslyn resident)
425-516-4693
1141 SKULL SPRINGS CLE ELUM. WA.
509-304-5304
10-Apple Crest Ct Cle Elum WA
509) 860-8874
425 385 0777
509 - 674 - 9223
425 - 359 - 7974

Stacy Morford
Patrick Morford

Jessica Emery
Bob Moran

Jenna Abourezk
Beth J. Parsons
Mike Bridenback

Christopher Jacobson
Melody Braeutigam

John REMLEY

Tim Gals - Easton
Michael Whitfield
Danae Whitfield

KC Saville

Nikki Winchell

Valerie Roberts

Jimmy Roberts

Lynda Kim:

Tom Bettinger

Lori Perez

425 943 1274

425 301 9322

253 332 8628

206-713-2119

1509 899 7515 call me

253-606-2977

509-930-6248

509-268-8745

425-902-3726

509-571-6021

425-361-8693

206-963-3638

509 8994659

509-607-1007

360-989-6054

(903) 271-0499

903 8141791

360/926-4166

425 736 5524

425 344 6076

Petition to change city code 17.90.020 line G to allow year long use of sidewalk space.

Line G. All permanent and temporary or moveable sidewalk objects and barriers must be off of the sidewalk during the winter months defined as November 1st through April 1st

Citizen Name:

Citizen Phone Number:

Nicole Olson

425-445-1687

~~Nicole Olson~~

~~Shan Olson~~

~~206-255-3130~~

Mrs Hartelius

206-201-9621

Heather Hartelius

206 825 2647

Carl "Papi Chulo" Barow

602 388 9599

John Cragin

425-221-3217

Dan McGibbon

509-656-4018

ANDREW Smith

(425) 218-0173

Katherine Hinton

206 963-2917

~~Scott Hinton~~

206-963-2918

Cherie Munro

425-281-6646

Carl Munro

425-281-6644

Gerab Nag

509 8 56 70 85

Jim Fuent

425-422-5600

Ronald Mattheu

206-999-4293.

STEVE HANEY
Rhonda Haney
Kelley Lochow
Scott Lochow
Lisa Lutton
Les Lutton
Finn Lutton
Rohan Lutton
Federico Johnson
(Iran) Remieu
TED LEAVITT
BOB WOODROW
Amy Nevills
Jaimie Park
JEN KRAUER
Bill Newman
Bob Gilbertson
Karla Gilbertson
Ryan Hutchins
Luis Lorus
Edgar Rodriguez
Cristina Bistricean
Nancy Sampson
Dave [unclear]
Emma Eckert

360 722 9582
360 202 3476
253 569-3099
509 855-6361
360-870-2250
206-818-9106
206-818-0425
509-656-4694

No phone # available

206-380-8039

509-674-2716

509-304-5191

206-724-3553

206-550-6872

509-674-4004

509 260 0956

360 981-7535

253 426-2846

360 473 6499

909-329-9639

386-690-6154

208-250-3581

509-607-1332

406-946-2600

009-607-9540

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Citizen Name:

Citizen Phone Number:

Emily Hornsby	360-516-9687
Tanner Abner	509-656-6536
Stephanie Lewis	509 260 1509
Beau Lewis	509 260 1504
Tony Butera	509 312 4179
Adam Birkholz	253 736 5118
JEFF Bowman	425-418-7900
Edith Phillips	509.778.2033
Danny Peterson	253-951-2309
Chrispy	0-09-856-507
Boll Shrit	253.227.5723
Kristin Nutt	253.363.0951
Ken Nutt	426-432-8298
Phil Bogert	509.850.9710
Nicole Heltzer Amitsstead	253-670-4555
CLAY QUINN	509 854-6855
Bill Beyant	509 656-4654
Terri Young	

Janelle Pool
Bob Brittingham
Marlene Brittingham
Tommy Felts
Dena Elliott
Sean Elliott
Cheryl Reid
Scott Person

Tyler Garrett
Kathy Barr
GREG BARR
Kieran Blair

Mike Butorac
Michelle Clark
Brandon Clark
Nathan Clark
Nathan Durrell
Nicole C. Dwinell
Kerry Ashby
Rob Ashby

206-793-3689
253 334 6020
253-545-1574
206-853-5968
253-297-0849
509-674-9263

206-245-7793
425-269-7073

253-263-2360
509-674-5132
509-260-1410
509-607-6677

509-674-2946
206 898 3379
206 228 0599
206 294 8353
425 442 4788
425 442 4789
425-443-8910
425 443 8911

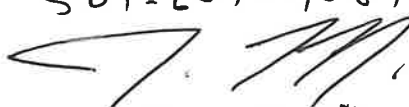
Petition to change city code 17.90.020 line G to allow year long use of sidewalk space.

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Citizen Name:

Citizen Phone Number:

John Locati
Justin Meinzer
Steve Nelson
Gabe Gordon
LARRY ROSENTHAL
Haley Kanzlarich
Scott Kanzlarich
Mark Johanson
John Herron
Jessica Stagner
Greg Lutorsky
Lorie Tucker
Ray E. Schy
Robert E. Smith
Bill Amend
Nicolas Landis
DREW KACHARCIAK
LISA PALMER
Levi Christie
Deb Mitchell
Joey GRAHAM
ED PALMER

509-607-4089
 n/a
253-839-5208
(509) 306-6493
360 672 4289
509-674-8850
509 674 1115
509-475-7125
206 735 8426
509.656.6606
509-899 1707
253-312-2818
(509) 388-5714
253-307-2070
425-417-0292
(360) 454-3001
206-931-0952
206. 496-3016
509 793-8171
206-999-4238
360-649-1211
206 571 4446

Richard Hawk

509 674 4146

Deb Lasse

509-260-1499

Jody Hawk

509 674 4146

Coyle

509-304-9090

S. Altomare
BREMST CANADA

509-260-1170

206-234-4767

A. Quinn
Mike Mills

809-470-4753

509-674 1161

D. Owens

509-470-4691

Janessa Parnell

509-607-9869

Justin Amer

253-267-3221

Brett Nasinec
Sarah Forney
Travis Smith

509-899-7376
(425) 308-8812

(206) 793-9679

(425) 737-1381

Kari C. Bairdin

(425) 231-7575

Mike W. Bairdin

360-461-0088

Jim Wakefield

425-941-5347

Gary Clessen

425-941-5348

Morven Clessen

ALFN EFFEMORT

509-656-4112

Thomas Briggs
Do Escobar
Jobany Angeles

206 931-9469
~~509-901-9290~~
509-929-3285

Zac Hansberry
Brayton DeKorby
Catherine J. Walton

~~509-891-628~~
504-894-2411
425-941-9183

Amber Baker
Tiffany Christman

509-607-2147
206-841-9149

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Citizen Name:

Jeremy SIBERT
Charity Sawyers
Krystal Slimp
Dustin Slimp
Jordan Simon
Lianne Shelden
Robert Shelden
Shannon Wearrell

Citizen Phone Number:

425-246-9676
777-757-7083
360-301-2202
509-899-7054
206 394 5199
253-208-8972
253-880-5567.
206-304-8983

Grant McEwen
Valerie Patrick
Otto Gunderson
Susan S. II
Leo Hancock
Danielle Dexter
Maria Adams
Karin Bagnasco
Mike Adams
Mike Nicholl-
Debora Nickolls
Jim Bagnasco
Shirley Bright
Travis Bright
Rob Drenberg
BRAD Ray
Karen Moore
Joye Simister
Myranda Woods
J. LEA HUTCHINSON
John Hornall
Kalib Mickelson
Jessa Mae Jerald
Jessica Keating

253-677-6191
253-677-6191
515-988-2991
509-674-9534
206-910-2121
425-223-0062
(406)-755-3525
509 378 1063
509-386-5207
509-947-3483
509-947-1019
509 378 1063
503-899-0604
11
509-674-8059
206-718-1581
425 445-1799
206-779-1481
509-312-5533
802 825-5802
215-285-0121
509-609-1115
406-640-8858
509-859-1939

Godai Fukuta	509-264-8889
Julian Olmos	509-423-1103
John Huffman	206 999 2847 keep open
BOB HAYNIE	509-857-2013
Bob Haynie	509-857-2013
Linda Villa	425-466-7830
John Villa	425 466 7685
Grace Munden	425-420-3808
Shannon Yee	206-334-3937
Caroline Flemury	425-471-9943
Grace Morford	425-301-9323
Ryan Morford	425-919-7733
Rachel Burchak	509-607-3190
Brennan Burchak	" "
Rian Brooks	253 632 2584
Herman P.H.J	509 963 2563
Tyler England	"
Kendra Buehn	509 885 2045
Michael Buehn	"
JEAN Hart	"

