

**MINUTES OF THE CASHMERE CITY COUNCIL MEETING
MONDAY, FEBRUARY 14, 2011 AT CASHMERE CITY HALL**

OPENING

Mayor Gordon Irle opened the regular city council meeting at 7:00 p.m. at City Hall. Clerk-Treasurer Kay Jones took minutes.

ATTENDANCE

	<u>Present</u>	<u>Not Present</u>
Mayor:	Gordon Irle	
Council:	Skip Moore Jim Fletcher Donna Wynne Debbie Knutsen Jeff Gomes	
Staff:	Bob Schmidt, Dir. of Operations Kay Jones, City Clerk-Treasurer Mark Botello, Dir. of Planning/Building	Terry McCauley, City Attorney

FLAG SALUTE

ANNOUNCEMENTS & INFORMATION

Clerk-Treasurer Kay Jones presented copies of the Monthly Financial Report for January.

Director of Planning/Building Mark Botello announced that the demonstration of the wayside horn for the quiet zone will be March 28, 2011 at 6:00 p.m. A plan and a cost estimate will also be discussed.

Director Botello also announced that he has received another federal grant for Tigner Road in the amount of \$174,730 with a city match of \$27,270. The Tigner Road project will have to be added to the six-year transportation program.

PUBLIC COMMENT

Doris Rogers resides at 6038 Hazel Place. Mrs. Rogers is a representative for two church groups that have joined together to serve the poor and the needy. They don't have a specific project at this time, but wanted to inform the council about their existence and asked the council to keep them in mind if they can be of service.

Doug Snyder resides at 6359 Kimber Road. Mr. Snyder owns a vineyard and would like to be able to make wine from the grapes they grow, but the zoning code for Suburban Residential District prohibits wineries. Mr. Snyder is requesting the Planning Commission and City Council to consider a code amendment to allow wineries in the Suburban Residential zone.

APPROVAL OF AGENDA

MOVED by Councilor Fletcher and seconded by Councilor Wynne to approve the agenda as printed. Motion carried.

CONSENT AGENDA

Minutes of January 24, 2011 Special Joint Council/Planning Meeting

Minutes of January 24, 2011 Regular City Council Meeting

Payroll and Claims Packet Dated February 14, 2011

Claims Check Nos. 30501 & 30514 through 30576 totaling \$149,412.31

Payroll Check Nos. 30502 through 30513 totaling \$93,868.68

MOVED by Councilor Knutsen and seconded by Councilor Gomes to approve the consent agenda as presented. Motion carried.

PUBLIC HEARING ON CHAPTER 14.11 APPEALS AND CHAPTER 14.13 ENFORCEMENT AND PENALTIES

Mayor Irle opened the Public Hearing at 7:17 p.m. to receive public input on Chapter 14.11 Appeals and Chapter 14.13 Enforcement and Penalties.

Director Mark Botello summarized the changes to Chapter 14.11 Appeals; Section 14.11.020 Appeals of Hearing Examiner Decisions and Section 14.11.030 Administrative Appeals have both been amended.

Director Botello summarized the changes to Chapter 14.13 Enforcement & Penalties; Section 14.13.080 Notice of Violation and Order and Section 14.13.090 Violation – Civil Enforcement and Penalties have both been amended.

With no comments from the public the hearing was closed at 7:23 p.m.

ORDINANCE NO. 1181- PROVIDING UNIFORMITY WITH RESPECT TO APPEALS OF HEARING EXAMINER DECISIONS

MOVED by Councilor Fletcher and seconded by Councilor Gomes to adopt Ordinance No. 1181 providing uniformity with respect to appeals of Hearing Examiner decisions. Motion carried.

ORDINANCE NO. 1182- AMENDING ENFORCEMENT AND PENALTY REGULATIONS

MOVED by Councilor Gomes and seconded by Councilor Wynne to adopt Ordinance No. 1182 amending enforcement and penalty regulations. Motion carried.

PUBLIC HEARING ON AMENDING THE 2010 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

Mayor Irle opened the Public Hearing at 7:28 p.m. to take public input on amending the 2010 Six-Year Transportation Program. Director of Planning/Building Mark Botello explained that the Sunset Highway project is priority #1 on the Six-Year Transportation Program and since the City has been awarded Transportation Improvement Board (TIB) Funds in the amount of \$547,633 for the Sunset Highway project, the project needs to be clearly identified on the six-year transportation program to include not only the bridge but the reconstruction of the roadway, illumination, sidewalks, curb & gutter, storm water and landscaping.

Tigner Road Preservation and Improvements project was added as priority #10 on the Six-Year Transportation Program since the city was just awarded federal funds for the project in the amount of \$174,730. The City has two years to use the federal funds on Tigner Road.

With no comments from the public the hearing was closed.

RESOLUTION NO. 04-2011 AMENDING THE SIX-YEAR TRANSPORTATION PROGRAM

The proposed resolution amends the 2010 Six-year Transportation Program clarifying the Sunset Highway project and adding the Tigner Road Preservation project.

MOVED by Councilor Fletcher and seconded by Councilor Moore to adopt Resolution No. 04-2011 amending the 2010 Six-Year Transportation Program. Motion carried.

ERIK HOWE - MISSION AVENUE PROJECT DESIGN REVIEW

Eric Howe from RH2 Engineering presented large design pictures of the Mission Avenue project. The pictures showed the new sidewalks and the change in parking on Mission Avenue. Currently the cars parked on Mission Avenue between Maple and Woodring are parking diagonally; half on city right-of way and half on railroad property. The new parking design cleans up Mission Avenue with parallel street parking which keeps the cars on city right-of-way. There will also be two areas for diagonal parking.

PETITION BY JAY BYERS & RENA BYERS TO VACATE CERTAIN RIGHT-OF-WAY ON MAPLE STREET

Director Botello explained that Jay and Rena Byers have petitioned the City to vacate right-of-way on Maple Street. The Byers' building encroaches five feet on Maple Street right-of-way. The Byers are petitioning the City to vacate six feet of Maple Street right-of-way (690 square feet) in exchange they will dedicate five feet of their property on Mission Street (2,475 square feet) to the City for a new sidewalk for the Mission Avenue Reconstruction project.

RESOLUTION NO. 03-2011 SETTING A HEARING FOR VACATION OF RIGHT-OF-WAY ON MAPLE STREET

MOVED by Councilor Gomes and seconded by Councilor Knutsen to adopt Resolution No. 03-2011 setting a hearing for vacation of right-of-way on Maple Street. Motion carried.

SELECTION OF ENGINEER FOR THE 2011 GENERAL MUNICIPAL ENGINEERING SERVICES

The City published a request for Statements of Qualifications (SOQ) for firms interested in providing general professional engineering and/or land surveying services for 2011. The City received eleven SOQ's for general engineering services. After review of all the SOQ's city staff recommended the selection of RH2 Engineering, Inc. for general municipal engineering services for 2011.

MOVED by Councilor Moore and seconded by Councilor Gomes to select RH2 Engineering as the City's General Engineers for 2011. Motion carried.

SELECTION OF SURVEYOR FOR THE 2011 FOR GENERAL MUNICIPAL SURVEYING SERVICES

The City published a request for Statements of Qualifications (SOQ) for firms interested in providing general professional engineering and/or land surveying services for 2011. The City received one submittal for municipal land surveying, which was from Fitzpatrick Surveying, PLLC.

MOVED by Councilor Wynne and seconded by Councilor Fletcher to select Fitzpatrick Surveying as the City's General Surveyors for 2011. Motion carried.

ARMY CORP OF ENGINEERS AGREEMENT FOR CITY OF CASHMERE LEVEE - SEGMENT #1 REPAIRS

The proposed Agreement is for the repair of the Cashmere Levee – Segment #1. The damaged area of segment #1 is located where Mission Creek meets the Wenatchee River behind the City Sanitation and Recycling building located on River Street. The total project cost is \$65,000; federal funds in the amount of \$53,000 with a city match of \$12,000. The Army Corp of Engineers will be performing the rehabilitation work, which is approximately 100 feet in length. In addition to repairing the levee the Corp will be removing and replanting vegetation in the rehabilitation area.

MOVED by Councilor Gomes and seconded by Councilor Knutsen to authorize the mayor to sign the Army Corp of Engineers Agreement and to submit a check for \$12,000 for the city's financial match. Motion carried.

PORT DISTRICT INTERLOCAL AGREEMENT - SUNSET HIGHWAY PROJECT – APPROVAL SUBJECT TO FINAL ENGINEER'S ESTIMATES

The City Attorney, City staff and the Port District have been working on the Interlocal Agreement for the Sunset Highway project. City staff recommends approving the Agreement as to form. The percentage amount and dollar amounts will be added when the final engineer's estimates are calculated right before going out to bid. The council will take action on the final Interlocal Agreement when the figures are added.

MOVED by Councilor Moore and seconded by Councilor Fletcher to approve the Interlocal Agreement as to form. Motion carried.

CASHMERE LIBRARY REPAIRS

MOVED by Councilor Moore and seconded by Councilor Knutsen to table the Cashmere Library Repairs to a later date for more information. Motion carried.

SET A DATE FOR A COMMUNITY FORUM

MOVED by Councilor Moore and seconded by Councilor Fletcher to set the date for a Community Forum for March 7, 2011 at 6:30 p.m. at Riverside Center. Motion carried.

EXECUTIVE SESSION – To Discuss Potential Litigation

At 8:08 p.m. Mayor Irlle closed the regular meeting to enter into an executive session to discuss potential litigation for approximately 20 minutes. There is a possibility that action may be taken when back in regular session.

Regular session reconvened at 8:21 p.m.

After the executive session the City Council took action on the Supplement to Wastewater Treatment Agreement between the City and Tree Top.

SUPPLEMENT TO WASTEWATER TREATMENT AGREEMENT

The purpose of this Third Supplement is, in part, to provide additional detail concerning the parties' respective rights and responsibilities with respect to the Refunding Bonds, including Tree Top's continuing obligation to timely pay rates to the City, which includes the debt service portion relating to the outstanding bonds and to the Refunding bonds if and when issued.

MOVED by Councilor Fletcher and seconded by Councilor Gomes to approve the Supplement to Wastewater Treatment Agreement between the City and Tree Top. Motion carried.

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ADJOURNMENT

MOVED by Councilor Wynne and seconded by Councilor Gomes to adjourn. Motion carried.

The meeting was adjourned at 8:23 p.m.

Gordon Irle, Mayor

Attest:

Kay Jones, Clerk-Treasurer