



**COMMUNITY DEVELOPMENT DEPARTMENT
501 North Anderson Street, Ellensburg WA 98926**

MINUTES OF ELLENSBURG CITY PLANNING COMMISSION

Date and Time: Planning Commission Meeting of February 11, 2021 at 5:45 p.m.
Place of Meeting: Virtual Zoom Meeting
Present: Beverly Heckart, Fred Padjen, Ed Harrell, Geraldine O'Mahony, George Bottcher, Sathy Rajendran
Absent: Gayl Curtiss
Others Present: Community Development Director Kirsten Sackett; Planning Manager Jamey Ayling; Council Liaison Stacey Engel

1. CALL TO ORDER

Chair Padjen called the meeting to order at 5:48 pm.

2. APPROVAL OF AGENDA

Commissioner Heckart moved to approve the agenda. Commissioner Mahony seconded. Motion passed with all in favor.

3. APPROVAL OF MINUTES

Commissioner Heckart moved to approve the minutes of the January 28, 2021 Planning Commission Meeting as presented by staff. Commissioner Rajendran seconded. Motion passed with all in favor.

4. NEW BUSINESS

5. OLD BUSINESS

6. CITIZEN COMMENT

No members of the public in attendance.

7. STAFF UPDATE

a. Staff Training for Commissioners

Staff introduced the topic of the Appearance of Fairness doctrine (AoF), and played a 17-minute Department of Commerce Short Course video presented by land use attorney Phil Olbrechts.

Information was provided about quasi-judicial actions, versus legislative actions. The differences between the two types was explained, specifically noting that the Appearance of Fairness doctrine only applied to the quasi-judicial proposals.

The AoF Doctrine was created by the courts in 1969 based on the requirements surrounding public hearings, and is described in RCW 42.396. The background of the idea is simply based on what constitutes a “fair hearing”.

There are 3 categories of bias:

- Personal bias or interest: decision affects your property, employer, or family
- Pre-judgment bias (should come into a hearing with a completely open mind)
- Partiality

Explanation of ex-parte communication was also provided.

Exceptions to the AoF Doctrine include:

- Loss of Quorum – but all appearance issues have to be disclosed
- No objections at disclosure
- Election-related opinions are allowed
- Campaign contributions from applicants are allowed
- Prior participation on advisory board

Consequences of violation the AoF Doctrine were shared:

- Action is void
- Could be damages

In conclusion:

- No Bias
- No exparte contacts

At the conclusion of the video, Staff answered questions posed by the Commission.

In another update, Ayling said he received a letter today from an individual representing a citizen’s group of people that live on Brick Road. The letter is addressed to Council and the Planning Commission, and the group would like the City to consider impacts of the decisions made to approve new developments on the north side of town. New development has impacts such as increased traffic on Brick Road and the speed that people travel. They would also like the City to consider methods to slow the traffic, and add signs such as “children present”, etc. Ayling will forward that letter to the Commission.

8. ADJOURNMENT

Chair Padjen adjourned the meeting at 6:25 pm.