

LEAVENWORTH CITY COUNCIL MINUTES
November 10, 2015

Mayor Farivar called the November 10, 2015 Leavenworth City Council meeting to order at 6:30 PM and Councilmember Francis led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Cheryl K. Farivar, Tibor Lak, Michael Molohon, Elmer Larsen, Robert Francis, Carolyn Wilson, and John Bangsund.

Staff Present: City Administrator Joel Walinski, City Attorney Tom Graafstra, Chantell Steiner, Nathan Pate, Herb Amick, and Sue Cragun.

Mayor Farivar excused Councilmember Larry Meyer from the meeting.

APPROVAL OF THE CONSENT AGENDA

Consent Agenda

1. Approval of Agenda
2. Approval of October 27, 2015 Regular Meeting Minutes
3. 2015 Claims \$540,056.74
4. October 2015 Payroll \$223,201.68
5. PRSA Voucher Requests \$20,000.00 & \$84,539.01

Finance Director Chantell Steiner stated that the 2015 Claims amount has been amended to the amount of \$624,595.75 which includes the addition of a PRSA check in the amount of \$84,539.01. Councilmember Larsen stated that action item number 7 regarding a funding request from the Blue Lotus Foundation for the Bike Pump Park is being added to the agenda.

Councilmember Larsen motioned to approve the consent agenda as amended. The motion was seconded by Councilmember Bangsund and passed unanimously.

PUBLIC SAFETY REPORT: SARGENT BRUCE LONG, LIAISON OFFICER

Chelan County Sheriff Sergeant Bruce Long reported on the current Sheriff Report for the month of September and stated the events that have taken place around the City of Leavenworth and nearby surrounding areas. He stated the numbers of incidents, citations, traffic accidents, false alarm calls, and arrests and compared those to the prior month of August.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Bangsund reported that he attended the Public Safety Committee meeting and stated that the Committee discussed the recent Oktoberfest Festival and received a report of the incidents that occurred during the Festival; there will be further discussion at the November 24, 2015 City Council meeting during the public meeting. He reported that the Department of Transportation (DOT) will be constructing a permanent message sign on the west end of the City and that there will be some upcoming discussion regarding the Wenatchee Valley Animal Control contract. He said that further discussions included tubing issues and negotiating a franchise with the tubing companies in order to mitigate overcrowding and the extra Deputy patrols that will be used during the Christmas Lighting Festival.

Councilmember Wilson reported that she attended the Public Safety and Parks Committee meetings and that she will soon be attending the Upper Valley Museum Board meeting and the Upper Valley Parks and Recreation Service Area (PRSA) meeting. She added that she participated in the Indian Story Telling event at Osborn Elementary School on the 19th.

Councilmember Francis reported that he attended the Public Works Committee meeting.

Councilmember Larsen reported that he attended the Solid Waste Advisory Council (SWAC) meeting and that the Committee continued the discussion regarding the construction of the moderate waste recycling center. He said that the contract has been awarded for the construction of the foundation and the building, although the County's grant funding has been cut in half so they are now looking into new grant funding.

Councilmember Molohon reported that he attended the Parks Committee meeting and stated that the Committee received a presentation regarding a Cyclo Cross Bike event that will likely take place next year in Enchantment Park, discussed the Bike Pump Park, new tree plantings, snow making in Front Street Park, the Maipole replacement, the chainsaw carving that will take place December 8 – 13, and the addition of a bicycle repair stand.

Councilmember Lak reported that he attended the Public Works Committee meeting and stated that the Committee discussed the Meadowlark Affordable Housing project regarding their recent funding issues and how the City may help. He noted that the Right-of-Way process related to the Meadowlark Development is now complete. He said that further discussions included staffing within the Public Works Department and changing the 8 Month Season position to a Full Time position, the Pine Street Reconstruction project, sewer collection fees for insufficient grease traps in order to alleviate pressure at the sewer treatment plant, installment of pay stations at the remaining city parking lots, electrical installation in the parking lots, and removing the chain link fence around the P-2 parking lot.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar recognized the three new Councilmember's in attendance and congratulated them on their new positions to the City Council; Ms. Mia Bretz, Ms. Margaret Neighbors, and Ms. Gretchen Wearne. She reported that she had attended the same meetings that were just reported and added that she met with the Board of Upper Valley MEND to discuss their recent financial shortfall and will be having further discussions. She went on to report on the earlier morning Study Session meeting and stated that the Council discussed the construction of a Bike Pump Park, the Lodging Tax Budget, the Rate & Fee Schedule for 2016, the Draft 2016 Planning Commission Docket, and the survey results for the Development Services Department. She noted that there will be a public reception prior to the December 8, 2015 Council meeting in order to say farewell to the departing Council Members.

City Administrator Joel Walinski reported that the Chelan County PUD will be in attendance at the December 8, 2015 City Council meeting to discuss the addition of a transformer substation that is necessary in order to upgrade the electrical systems in the Leavenworth area.

Finance Director Chantell Steiner reported that there was a temporary \$5,000 loan to the Stormwater Fund from the General Fund to take care of the grant. She noted that all previous loans from the Street Fund have since been paid back.

Development Services Manager Nathan Pate reported that there will be a Public Forum on November 18, 2015 at 7:00 PM to discuss the Regional Stormwater / Wetland Master Plan.

Public Works Director Herb Amick reported that the completion of the Commercial Street 3rd – 8th Street project is nearing completion with the addition of the railing that should be completed by Friday.

PUBLIC HEARING: ANNEXATION REQUEST PETE OLSON PROPERTY @ 6:45 PM

Mayor Farivar opened the public hearing at 6:47 PM.

Development Services Manager Nathan Pate stated that this is the third step in the annexation process. He said that the specific requirements and criteria include meeting with the property owners to determine if the City will accept the annexation; whether the City will accept, reject, or geographically modify the proposed annexation; whether it will require the simultaneous adoption of a proposed zoning regulation, if such a proposal has been prepared and filed; whether it will require infrastructure improvements, and what funding mechanism shall be established; whether it will require transfer of water rights; and whether it will require the assumption of all or any portion of existing city indebtedness by the area to be annexed. He said that the Council would like to receive testimony from the public in regard to the annexation and confirmed that the applicant has accepted the standards and criteria, the County would like the territory to also include the adjacent streets within the boundary area, and that the Council has the authority to include the streets within the annexation boundary.

Mayor Farivar asked if there were any comments from the public.

Skip Claeson, 553 Mountain View Drive, Leavenworth; Mr. Claeson requested information regarding the use of the property. Mayor Farivar stated that it will be used for a subdivision.

Mayor Farivar asked if there were any more questions from the public. Hearing none she closed the public hearing at 6:51 PM.

Development Services Manager Nathan Pate addressed the change to the territory and stated that it is a good idea to develop the full territory into the annexation. He said that he is positive that the City will have the support of the County in regard to the upkeep of the adjacent streets.

Councilmember Lak stated that the County will need to maintain the ditch as the City has no control over the water running off the hill which belongs to the County.

Stacy Barnhill, 9097 Icicle Road, Leavenworth; Ms. Barnhill questioned why the annexation conversation is coming before the completion of the Regional Stormwater / Wetland Master Plan. Manager Pate stated that the property has been analyzed and that it has been determined that the property in question is not a wetland. Ms. Barnhill added that she feels that ethics should be considered in regard to the birds that dwell on the property currently in consideration of the annexation.

Councilmember's Bangsund and Wilson stated that their concerns are in regard to the lot layout and driveway access along Pine Street. Manager Pate stated that the project is not far enough along to discuss controlled access. Councilmember Larsen stated that the area in question has been in the Urban Growth Area for many years and that there has been little growth in the area. He reiterated that the City has a need for accommodations and that it is appropriate at this time. He added that in building Pine Street, the City is looking at a multi-use trail that will create a park like setting in the area. Mayor Farivar noted that a wetlands park may be developed on the north side of town, although

we don't know when or how that might happen at this time. Councilmember Molohon added that while he appreciates Ms. Barnhill's comment, there are many beautiful parks in the City.

Skip Claeson, 553 Mountain View Drive, Leavenworth; Mr. Claeson requested information regarding the construction of Pine Street. Mayor Farivar added that the City will take on Pine Street and Ski Hill Drive directly abutting the property. Administrator Walinski briefly explained that the City and County have been working together since 2012 with regard to Pine Street. The Council agreed that they would like to annex the adjacent streets, but don't want to commit to that until there is an agreement with the County in regard to maintenance upkeep on the stormwater drainage.

Denise Darling, 507 Cedar Street, Leavenworth; Ms. Darling questioned the moratorium on water hookups outside of the City and stated that she wants the City to have enough water to provide for residents. Administrator Walinski addressed the City's water planning and stated that currently the City planning and water rights should address water availability for 15 years out for the Urban Growth Area and the City, however it is ongoing availability of water that is an issue that the City continues to work on.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Mayor Farivar asked if anyone had any comments that they would like to address prior to waiting until the end of the meeting.

Craig Hess, 125 Pine Street, Leavenworth; Mr. Hess addressed the vacant position on the Planning Commission and questioned the advertising process since it has been vacant for fifteen months. He went on to state his reasons for resigning from the Planning Commission and his interpretation of the Leavenworth Municipal Code (LMC) in regard to filling vacant Planning Commission positions. On a final note he compared the Planning Commission operations between the City of Cashmere and the City of Leavenworth noting that Cashmere has code language stipulating term limits for the positions that he recommends Leavenworth consider.

RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

1. Pine Street Draft Design

City Administrator Joel Walinski stated that the City Council is being asked to hold an Open House meeting and take public comments regarding the suggested Pine Street road cross section. He said that once the public has had an opportunity to provide comments, the Council will then be asked to approve the overall draft cross section or suggest changes to the cross section. He displayed the two cross sections of Pine Street on a large screen; a cross section from Ski Hill Drive to Central Street where 60 feet of Right-of-Way (ROW) exists except for 9 parcels and a cross section to be used from Central to Titus where 70 feet of ROW currently exists. He went on to explain how the road has been classified as an Urban Local Access Road, the recommended roadway width for travel lanes, the sidewalk and multi-use trail placement, planting strip that will be used for snow storage, the parking lane, bike lane and traffic calming bump outs. He stated that the cross section being presented provides for all of the road way facilities that the community had suggested to the Council at previous meetings. He noted that the cross section that the Council recommends at this time will allow staff to begin a more detailed planning process and funding requests, but is not the final decision on the construction of Pine Street.

Mayor Farivar asked if there were any questions from the public.

Don Wood, 10168 High Street, Peshastin; Mr. Wood requested further clarification of the term “bump out”. Administrator Walinski explained the traffic calming technique that relates to the sidewalk corners. There was a brief discussion in regard to slowing traffic versus moving traffic along in a school zone.

Scott Bradshaw, 238 Birch Street, Leavenworth; Mr. Bradshaw stated that he is concerned of the water that runs off of that area and said that there must be a design to remove the water so that it doesn't collect down the hill.

Linda Bradshaw, 238 Birch Street, Leavenworth; Ms. Bradshaw suggested marking the path with painted feet and/or wheels in order to show the pedestrian the intended use of the path and to curb confusion.

Stacy Barnhill, 9097 Icicle Road, Leavenworth; Ms. Barnhill requested further clarification of the placement of the bike path. She stated that she hopes that the City will make a plan regarding the Ski Hill loop that will make it feel continuous and whole.

Kathryn Praye, 173 Ski Hill Drive, Leavenworth; Ms. Praye asked how the bike path will be connected to Pine Street. Administrator Walinski explained that there will be a crosswalk with flashing lights similar to the new crosswalks on Highway 2; there would be several areas that would allow people to cross over onto the path.

Bill Motsenbocker, 9354 E Leavenworth Road, Leavenworth; Mr. Motsenbocker stated that the School Districts concern is that they would like to see the street narrow as it gets near the school. He noted that the City doesn't own the property as two prior surveys show. He added that the City is requiring the School District to construct a large parking lot and that the School District is not depending on Pine Street for parking.

John Ressler, 522 Summit Avenue, Leavenworth; Mr. Ressler addressed the cross section of the road and said that he would like to see the full street view in its varying widths. He also questioned the cost of the reconstruction project. Administrator Walinski explained that the City is in the planning stages; therefore no costs have been estimated and that the City and County are currently looking into grant funding. Mayor Farivar briefly discussed the benefits of a Local Improvement District.

Penelope Carpenter Ressler, 522 Summit Avenue, Leavenworth; Ms. Ressler noted that the “walkers” around town will prefer to walk on a path and not up and down driveways while walking Pine Street. On a final note she added that when it comes to the City completing a survey, she wants to be sure that the City is fair as she has had difficulty in past dealings regarding what was her property and what belonged to the City.

Pete Olson, PO Box 2192, Leavenworth; Mr. Olson stated that the ROW at Central Street at the end of his property was 73 feet of ROW.

Aaron Schmidt, 309 Meadow Drive, Leavenworth; Mr. Schmidt addressed the stormwater and his concerns that will affect the school, development, and the street construction. He agreed that he is favorable to the plan and stated that he hopes it is well thought out. He stated that he has a list of concerns that may be premature at this point, although he agreed to provide them to the City as a side bar.

Craig Hess, 125 Pine Street, Leavenworth; Mr. Hess suggested that the Council consider his plan that would use 50 feet of ROW. He stated that 60 feet of ROW and the use of swales is sacrificing others properties and plans.

Hal Malone, 405 Pine Street, Leavenworth; Mr. Malone stated that he runs the Ski Hill loop and stated that he questions why the City would go to the expense of parking when no one currently parks along Pine Street. Mayor Farivar explained that due to the school being built in that location, eventually that parking will become necessary. He then questioned the construction schedule and Administrator Walinski addressed that by explaining what will take place over a three year time frame to include grant applications and completing engineering and design work first.

Wanda Malone, 405 Pine Street, Leavenworth; Ms. Malone stated that she is happy to have a sidewalk on her side of the street, although she would like to encourage anyone walking dogs to use the other side of the street.

Councilmember Larsen stated that the City will need to consider turn lanes at the intersection of Titus Road and Pine Street do to the proximity of the three schools coming together during school hours as well as special events. Councilmember Bangsund reiterated that the City has only one shot to do this right and doesn't want to have any regrets later if the City is pressured to scale back the plan. Mayor Farivar added that with the Olson development and the Meadowlark project, there will be more than 100 new homes in the area near that intersection of Titus Road and Pine Street. Administrator Walinski added that the City is still working on the plan for Pine Street from Titus Road to Chumstick and that there are many design ideas to consider for the Chumstick intersection.

Councilmember Molohon motioned to approve the draft roadway cross section for the further development of the Pine Street reconstruction design. The motion was seconded by Councilmember Francis and passed unanimously.

2. Ordinance 1513 – Adopting Ad Valorem Tax

City Administrator Joel Walinski stated that the City Council is being asked to consider two options for Ordinance 1513 which is the authorization of the property tax levy for the 2016 tax year. He said that staff recommends that the Council at a minimum request the 1% cap for the property tax request. He then went through and addressed the amount of banked capacity that the City has access to due to the Fire District annexation in 2013. He suggested the use of \$20,000 of the banked capacity this year which would be set aside specifically for Capital Utility projects. He explained how future Council's will need to consider when to address major projects and time them with retiring debt versus new debt to attempt to keep property tax increases at a minimum. Administrator Walinski then addressed what the Ad Valorem Tax actually pays for noting that it currently does not even cover the Sheriff annual contract for public safety purposes. He then displayed a comparison of property taxes paid for a \$275,000 home for the County, Cashmere, Chelan, Wenatchee, and Leavenworth and discussed the differences between those property taxes paid compared to those in the City.

Finance Director Steiner clarified the Council's options for option 1 with just a property tax increase of 1% or option 2 to include the 1% plus the \$20,000 of banked capacity for an overall increase of 5.8%. She explained the difficulty in determining what the effect will be on a single resident due to how the County Assessor's office revalues properties but with the increase in the citywide valuation, she anticipates a minimal amount on an individuals' tax statement. Council requested that a formal action for dedicating the \$20,000 to capital related utility improvements be included in the budget; Director Steiner confirmed that she can address this within the final budget amendment in December.

Councilmember Molohon motioned to adopt Ordinance 1513 Option B with the Ad Valorem Tax increase of 5.8%. The motion was seconded by Councilmember Wilson and passed unanimously.

3. Ordinance 1514 – Authorizing Special Levy

Finance Director Chantell Steiner stated that the City Council is being asked to adopt Ordinance 1514 authorizing a special levy for the 1997 General Obligation Bond that was refinanced in 2011 for the Fire Hall. She noted that the special levy rate is in the amount of \$60,000 which will cover the principal and interest payments for next year with final maturity occurring in 2017.

Councilmember Bangsund motioned to adopt Ordinance 1514 Authorizing Special Levy. The motion was seconded by Councilmember Molohon and passed unanimously.

4. Authorize Mayor to Sign Tax Levy

Finance Director Chantell Steiner stated that in addition to setting the property tax levy and special levy, the Department of Revenue and the County Assessor requires a levy certification.

Councilmember Molohon motioned to authorize the Mayor to sign Option B for the Tax Levy Certificate. The motion was seconded by Councilmember Francis and passed unanimously.

5. Resolution 10-2015 Legislative Action

City Administrator Joel Walinski stated that the City Council is being asked to approve Resolution 10-2015 which identifies the City's Legislative Priorities for the 2015/2016 Legislative Session. He said that the Council reviewed and approved the following priorities at the October 27, 2015 Council meeting: 1) Restore the Wenatchee Watershed Plan and Wenatchee Reserve; 2) Infrastructure Funding/Sales Tax Option; 3) Fireworks Ban; 4) FireWise Assistant/Modifications to WAC 173-425-040 Outdoor Burning; and 5) Public Works Trust Fund. He said that if the Council chooses to approve the resolution, a letter will be sent to Senator Parlette, Representative Hawkins, and Representative Condotta which addresses these priorities. He noted that Senator Parlette worked last year in putting together alternative language for the Wenatchee Watershed and was very close to accomplishing that task; he is positive that work will continue and would address one of the major water issues that is facing the City at this time.

Councilmember Larsen motioned to approve Resolution 10-2015, Legislative Priorities for the 2015/2016 Legislative Session. The motion was seconded by Councilmember Wilson and passed unanimously.

6. Authorization – Garbage Truck Purchase

Public Works Director Herb Amick stated that the City Council is being asked to authorize the expenditure of funds for the purchase of a used side loading garbage truck in an amount not to exceed \$80,000. He went on to address the two garbage trucks that are currently being used by the crews and noted that a second side loading truck is necessary for the City as a backup for when the current truck has mechanical issues. He noted that used trucks sell very quickly and it is necessary for Public Works to be able to make the purchase immediately if the right truck becomes available.

Councilmember Wilson motioned to approve a not to exceed purchase amount of \$80,000.00 for a used side loading garbage truck to be identified by the Public Works staff and authorizes the City

Administrator to approve the expenditure. The motion was seconded by Councilmember Lak and passed unanimously.

7. Bike Pump Park Funding

City Administrator Joel Walinski stated that the Bike Pump Park project was discussed at the morning Study Session meeting and that the Council was given an update in regard to the progress of their fundraising. Councilmember Molohon noted that this project was discussed in the Park Committee meeting as well and stated that the Blue Lotus Foundation has raised quite a bit of money on their own; the project is something that the visitors and residents will use alike. He said that the Foundation is looking at a grant from Community Foundation of NCW and that the Foundation is requesting funding of \$25,000 from the City which will go on to help secure the grant from Community Foundation of NCW. Mayor Farivar reiterated that this is something that supports our local community. Administrator Walinski confirmed that \$10,000 will come from the Lodging Tax and \$15,000 from the General Fund; funds will be available after January 1, 2016. Mayor Farivar stated that Enchantment Park is becoming a very family oriented park for our local families and that this addition of a Bike Pump Park will only enhance the experience.

Councilmember Molohon motioned to approve the expenditure of \$25,000 to the Blue Lotus Foundation for the Bike Pump Park project. The motion was seconded by Councilmember Lak and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Mayor Farivar reminded the Council that the public forum regarding the Regional Wetlands / Stormwater Master Plan will be held on November 18, 2015 at 7:00 PM and that the Oktoberfest and Autumn Leaf Festival recaps will take place at the regular City Council meeting on November 24, 2015.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

None.

ADJOURNMENT

Seeing no other business, Councilmember Molohon motioned to adjourn the November 10, 2015 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Wilson and passed 4/2 with Councilmember Lak and Francis opposed.

The meeting adjourned at 9:06 PM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk