

LEAVENWORTH CITY COUNCIL STUDY SESSION MINUTES

January 10, 2017

Mayor Cheryl Kelley Farivar called the January 10, 2017 Study Session to order at 9:00 AM.

Council Present: Mayor Cheryl Kelley Farivar, Elmer Larsen, Carolyn Wilson, Gretchen Wearne, Mia Bretz, Richard Brinkman, and Sharon Waters.

Staff Present: Joel Walinski, Herb Amick, Nathan Pate and Chantell Steiner.

Mayor Farivar excused Councilmember Margaret Neighbors.

1. Chamber Report

Chamber Director Nancy Smith reminded the Council that they will be meeting with the representative of the Tour de Bloom event at the Parks Committee meeting today; she noted that the Chamber has provided their concerns with the event from last year. She stated that she has also been in contact with representatives of the Leavenworth Drive Group and that she will provide City Administrator Joel Walinski with the email contact list. There was a brief discussion of closing Front Street and the impacts on businesses for events such as these. Director Smith stated that the Chamber Board Retreat will occur later this week where the Board will be reviewing their mission and vision statements for the next five years, that the Chamber is now focused on the Icefest Festival this coming weekend and that she will be attending meetings with the Legislature later this month. She updated the Board on recommendations that the Chamber will be discussing with the Legislature regarding restoration of the Public Works Trust Fund, supporting small businesses, tourism and wage increases; she noted that if there are specific items that the Council would like addressed to provide those to her. She then identified some concerns with a new draft House Bill H0663.2 concerning Tourism Marketing that has just been released with support from Representative Cary Condotta. She explained her concerns regarding matching funds from cities and the State that does not clearly define returning funding back to the cities if the program is not funded through the Legislature; she further explained concerns on the language for the term of the bill which currently only addresses the 2017-2019 biennium where she would prefer to see a minimum of a four-year commitment to the program. In closing she added that she also attends the Tri-Commission meetings and if the Council has any suggestions for comments to get those to her to share as well.

2. Varela and Associates – Dana Cowger – Review of Wastewater Treatment Plant Facility Plan

Varela and Associates Engineers Dana Cowger and Mark Esvelt briefly noted their past experience with the City's Wastewater and Water Plant facility designs. Mr. Cowger began with a review of the study session discussion outline that was provided in the Council's packet and identified the handouts on the Wastewater Facility Planning that would be discussed in more detail today. Topics included a brief recap of the July 12, 2016 study session discussion, what has occurred over the past six months on progress towards the draft facility plan that is now available for review, and how best to access those documents.

Mr. Cowger and Mr. Esvelt proceeded to review various sections of the Plan and pertinent details within each of those sections including topics on the Collection System Evaluation and

Findings, Treatment System Evaluation and Findings (Existing / Future Capacity Recap), Existing Plant Evaluation / Upgrades, Phosphorus Treatment Alternatives Findings (includes example of current process versus new proposed process to remove phosphorus), Reclaimed Water Evaluation Findings (included maps of potential reuse areas, reuse alternatives in and around the City's boundaries and estimated increased costs to implement), Final Treatment Alternatives / Recommended Upgrades / Estimated Cost (includes estimated total project cost of \$8.408 Million to address upgrades to the existing Treatment Plant and new Phosphorus Removal Improvements or \$8.41 Million to add the additional cost of the relocation of the existing City Shop), Capital Improvements Plan / Funding Scenarios / Rate Impacts (includes estimated total cost of Collection System at \$4.15 Million plus the Treatment Plant Upgrades of \$8.41 Million for a total of \$12.56 Million up to \$13.66 Million with inflation costs through 2019), Existing Plant Cost Component, Future Added Operating & Maintenance for Phosphorus Removal Component (estimated increase to operations/maintenance per ERU of \$3.20 per month), and Funding Scenarios (includes a mixture of loans and grants from Rural Development and the Department of Ecology which will include differing increases to customers; however, does not yet include estimates of retiring debt on the system versus new acquired debt requirements). In closing Mr. Cowger reviewed the Next Steps that will include Funding Acquisition & Strategy, Timelines, and Other considerations such as environmental reviews, finalization of the Facility Plan and public involvement/communications. Council had a brief discussion on timelines and how action by the Council could assist as the project progresses; Mayor Farivar suggested further discussion within the Public Works Committee on this topic. It was noted that grants are applied for through a joint effort of the Engineers and City Staff.

3. Discussion on Leavenworth Municipal Code (LMC) Amendments & Public Hearings

Development Services Manager Nathan Pate stated that this time is included for Council discussion on the LMC amendments that will be presented to the Council this evening for approval that are all derived from the Planning Commission's 2016 Docket. He proceeded to review the materials provided in the packet starting with the withdrawal by the applicant for the Ida Allen Trust private map amendment request. He then reviewed the Willkommen Village private map amendment request from Residential Multi-Family (RM) to General Commercial (GC) that has been recommended for denial by the Planning Commission, and the recommendations to approve a private map amendment from Willkommen Village from Residential Low-Density (RL) 12 to RL 10, a private LMC amendment to increase building the height of the GC District from 35' to 50', and an LMC amendment to Chapter 18.44.030 Tourist Commercial listed uses to include "recreational vehicle parks," an update to the criteria, standards, and specification for recreational vehicle parks within Chapter 18.51. Manager Pate explained the steps that were involved with the Planning Commission process, which included a review of suggested changes to the criteria, discussion and intake of citizen comments, and developing the proposed final suggestions to the City Council. Mayor Farivar clarified some of the discussions with the KOA and Riverbend Drive property owners noting that neither are currently annexed into the city limits that could be affected by the amendments being proposed.

The Council and Planning Commissioners Andy Lane and Scott Bradshaw proceeded to discuss and review the Planning Commission's discussion and recommendations being provided to the Council on each of the amendments. Due to the withdrawal of the Ida Allen Amendment no discussion was necessary. Commissioner Bradshaw stated that one of the key aspects for the denial of the RM to GC request is to not reduce the amount of multi-family housing zones. The RL 12 to RL 10 request is mainly to allow for more density within that land area; this concept

also includes the request for the increase in building heights of the GC District from 35' to 50'. In reviewing the building heights, Mayor Farivar clarified that this will be consistent with the current height restrictions within the City's downtown development area; it was noted that there is no concern of this new height for the Fire Department to provide proper fire protection in the future. Additional discussion of future impacts and incentives of the height increase were discussed in regard to residential neighborhoods that are in the surrounding area of commercial growth and how there needs to be an acceptable buffer and flow utilizing a mixture of different residential zones moving into the future; the Council explored options for remanding back to the Planning Commission for further detailed review of this item or passing it this evening. In reviewing the final item regarding recreational vehicle parks, the process for hearing examiner involvement with a Conditional Use Permit was briefly reviewed for necessity and was noted as a necessary process to maintain within the code language.

4. Leavenworth Municipal Code (LMC) Amendments Regarding the Strengthening of the Existing LMC for Vacation/Overnight/Short-term Rental in the Residential Neighborhoods

Manager Pate provided the Council with some of the Planning Commissions review to consolidate and clarify land use and development definitions within the code language that has previously been included in a multitude of sections of the Code to be more streamlined and easier to review permitted uses with clear definitions within a single Title of the Code.

Manager Pate then discussed the Planning Commission's review to clarify duplex, accessory dwelling units and updates to the Bed and Breakfast (short-term/vacation/overnight rentals in residential neighborhoods) regulations for safety, noise, parking, for the requirement for contact information such as in the case of a situation, and the permitting side to annually review the facility for safety and nuisance concerns that may arise. Planning Commissioner Lane further explained the discussion of balance needed for a variety of residential options that could assist in more availability of affordable housing in a safe and monitored environment. He talked about the difference of a Bed and Breakfast that has a full-time resident on site versus a corporate office offsite; he specifically encouraged review of the Findings of the Planning Commission to get a better understanding of the big picture regarding this topic. Commissioners Lane and Bradshaw talked about how the growth and change in other communities, as these types of changes effect those communities, can be reviewed as part of the City's long-term approach to monitor and make future code amendments in a slow and thoughtful process. This will allow time for the Community to implement small changes, review advantages and disadvantages as they come up, and to make small amendments over time to help reduce concerns of losing neighborhood and community related character and values. Councilmembers discussed their support of the proposed Bed and Breakfast language and explored some concerns of areas on parking accessibility, ensuring the annual review process of the permit, the need to move further with enforcement of non-compliance, density issues, and the use of owner versus a host versus a resident that varies throughout the language. Further discussion of the "Owner versus Host" language was explored in more detail to try to accommodate less abuse of the code language if possible, however it was also suggested that the language may need to be implemented and tested to see how the impacts do occur, this might include better clarification of the use of the words "owner and host", another suggestion was to only use only use the word owner and not the word host. The Council also discussed the issue of a substitute host for when the owner was either on vacation or needed to be gone for an emergency. While the operating Management Plan would identify who these individuals would be, the Council discussed alternatives to the proposed language from this practice not being allowed, to providing a specified "so many days

per year”, to having the language be silent on the frequency. The Council also had a discussion on the procedures for the next steps for having public hearings, adding additional amendments, remanding back to the Planning Commission if changes are necessary or adopting the language as presented.

5. 2016 End of Year Update and 2017 Future Council Agenda Items

Mayor Farivar noted due to time constraints this item would not be discussed.

6. Council Open Discussion

Mayor Farivar reminded the Councilmembers to be in contact with the current Mayor Pro Tempore regarding Committee assignments as those will be finalized at the next meeting.

Study Session adjourned at 12:40 PM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director/City Clerk