

## **LEAVENWORTH CITY COUNCIL MINUTES**

### **January 12, 2016**

Mayor Farivar called the January 12, 2016 Leavenworth City Council meeting to order at 6:00 PM and Councilmember Neighbors led the City Council in the Flag Salute.

### **ROLL CALL**

Council Present: Mayor Cheryl K. Farivar, Michael Molohon, Robert Francis, Elmer Larsen, Carolyn Wilson, Gretchen Wearne, Mia Bretz, and Margaret Neighbors.

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

### **APPROVAL OF THE CONSENT AGENDA**

#### **Consent Agenda**

1. Approval of Agenda
2. Approval of December 8, 2015 Regular Meeting Minutes
3. Approval of December 8, 2015 Study Session Minutes
4. 2015 Claims \$369,965.09 and 2016 Claims \$286,844.50
5. December 2015 Payroll \$193,186.45

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

### **PUBLIC SAFETY REPORT: SARGENT BRUCE LONG, LIAISON OFFICER**

City Administrator Joel Walinski addressed the November 2015 City Report from the Chelan County Sheriff's Office and the December 2015 Monthly Report from the Chelan County Regional Justice Center in order to familiarize the new Councilmembers with city documents. He went on to explain when the reports are received and how to interpret them. He noted that Sergeant Long typically delivers the report at the City Council meetings. Mayor Farivar added that Sergeant Long addressed the Public Safety Committee regarding the Christmas Lighting Festival and overnight parking issues that the City is currently experiencing.

Chelan County Sheriff Sergeant Bruce Long reported on the current Sheriff Report for the month of November 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 October. There was a brief discussion of the number of false alarm calls in November.

### **COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA**

Mike Cummings, 10251 North Road, Leavenworth; Mr. Cummings addressed the Council so that he may clarify the current status of the proposed Ice Rink & Pavilion in response to the recent article in the Leavenworth Echo. He went on to compare statements in the newspaper article to facts that were stated in the feasibility study in regard to the favorable sustainability of

the Ice Rink & Pavilion. In closure he stated that the Leavenworth Ski Hill Heritage Foundation looks forward to working with the Leavenworth City Council to move the project forward.

Mike Cummings, 10251 North Road, Leavenworth; Mr. Cummings commented on the proposed street names for the Meadowlark Development that would be taking place later on in the agenda; in his personal experience, having worked with various emergency agencies, finds that a street name such as "Rock Wren Road" will be very difficult to understand over a police radio.

## **COUNCILMEMBER AND COMMITTEE REPORTS**

Councilmember Neighbors reported that she attended the Festhalle Oversight Committee, Parks Committee, and Study Session meetings.

Councilmember Bretz thanked the residents of Leavenworth for the results of the recent election. She said that it looks as if the residents want to see a change; she offered herself as completely available to the citizens and hopes that they will contact her with anything that they wish to discuss. She went on to say that she attended the Parks and Public Works Committee meetings.

Councilmember Wearne reported that she attended the Public Safety Committee meeting.

Councilmember Wilson reported that she attended the Public Safety Committee meeting and stated that Sergeant Long attended the meeting and gave the Committee a report on alarms and false alarms. The committee also discussed the following: winter parking issues and noted that the 3:00 AM – 7:00 AM parking is not being adhered to; parking for the Christmas Lighting Festival, and they did some modifications to parking and found these helpful in handling the Snow Train busses in a more efficient manner; the upcoming IceFest Festival; Pacific Security in regard to expanding what the patrols do, such as checking vehicles in red and yellow zones as well as those vehicles blocking traffic, sidewalks, and hydrants; and tubing and rafting in regard to the upcoming season. She said that the City will be sending out a Request for Qualifications (RFQ) in order for the City to select one company to provide a rafting business and another to provide a tubing business at the City's parks with access to the river; Pacific Security will also patrol the areas with river access to rafting and tubing businesses. She went on to say that she also attended the orientation with the new Council members, the Upper Valley Connection Board meeting, and will be attending the Upper Valley Museum Board meeting later this week. She said that she was contacted by the great niece of Dr. Howard Hopkins regarding an article she had seen about the pool dedication in her great uncles name. Councilmember Wilson referred her to Ms. Ann Ostella, Director of the Upper Valley Museum; the two will work together in donating items that once belonged to Dr. Hopkins. Mayor Farivar gave a brief description of Dr. Hopkins and his role in building the first pool in Leavenworth.

Councilmember Larsen reported that there was no Residential Advisory Committee (RAC) meeting this month. He said that he attended the Parks Committee meeting, acted as Chairman, and discussed the idea of the Marsons and the Chelan-Douglas Land Trust purchasing a property together that is currently classified as a wetland; the two are looking forward to a meeting in regard to acquiring grant funding for that project. He said that further discussions included the gazebo regarding the problems with the sound system, repair needs, and protection from casual users; they also discussed the sledding hill regarding broken sleds and mud; and the new Woody Goomsba statue has been relocated as the property has been sold, and the Committee would like to see public involvement regarding the final placement of the statue. On a final note he said that

the property abutting Front Street Park has been sold and there will be further discussion regarding the outcome of that project and the City is looking at a franchise agreement for the rafting and tubing groups in order to reduce the impact to our shorelines and noted that there will be one vendor for each activity.

Councilmember Francis reported that he attended the Public Works and Public Safety Committee meetings and went ahead and reported on the Public Works Committee meeting. He stated that the Committee met with the Cascade School District (CSD) Building Representative regarding mitigation for the wetlands located on the CSD property and how the City may be of assistance. He said that the Committee also discussed the Meadowlark Affordable Housing Development regarding their shortfall in funding and noted that the City is currently working on a memorandum of understanding regarding the project funding; and the group discussed a water line project to address an area of O'Grady, Stafford, and Cherry Streets which has small pipes and a non-functioning water hydrant on Center Street.

Councilmember Molohon reported that he did not attend Committee meetings today as his new committees will be meeting on the 4<sup>th</sup> Tuesday of the month.

## **MAYOR/ADMINISTRATION REPORTS**

Mayor Farivar reported that she and Administrator Walinski have had two meetings with Upper Valley MEND in regard to the financial shortfall of the Meadowlark Affordable Housing Development, held an orientation with the new Councilmembers, and attended a conference call with the Department of Commerce to discuss the Community Development Block Grant (CDBG). She went on to report on the earlier morning Study Session meeting and stated that the Oath of Office for the three new Council members, re-elected Councilmember Larsen, and herself as the re-elected Mayor was the first order of business in the morning. She said that the Council then received a report from the Chamber of Commerce to discuss the recent Christmas Lighting and IceFest Festivals, had a discussion with the County regarding Emergency Management and putting together an incident command headquarters, received a report from the State Auditors regarding the City's recent financial audit which received a high score, received a year-end review regarding the Development Services Department, discussed an update to the fence code, and received updates regarding the Festhalle projects, Wetland Stormwater Regional Plan, Chumstick Trail Water / Sewer Extension, Parking Lot Improvements, Pine Street Reconstruction project, and two crosswalk enhancements. She confirmed that the Transportation Improvement Board (TIB) has awarded grant money to the City for three streets to have asphalt replaced.

City Administrator Joel Walinski reported that he attended the Festhalle Oversight Committee meeting and stated that the Committee discussed recent bookings, reviewed the budget and he confirmed that the revenues and expenses are nearly in line with each other, and discussed the upgrades to the catering kitchen. He said that Leavenworth Summer Theater has had their last winter performance and will have their final summer performance this year. He added that the Festhalle mission is to bring events to town that are good for the community as well as the business community. He went on to say that the City is developing an annexation agreement with Mr. Pete Olson regarding his Pine Street property and upcoming annexation; there will be a City Council Special meeting on Friday morning at 9:00 AM to complete that action.

City Attorney Tom Graafstra welcomed the new members of the City Council. He noted that it is good to look at an agenda and not see that there is an Executive Session taking place. He went on to explain that he usually states, "no report" which means that there are no special issues that will have to be attended to in the near future. He gave examples of issues that have taken place within the last year.

Finance Director Chantell Steiner noted that the temporary loans the City made throughout 2015 have been paid back as of year-end 2015. She explained that there is a policy which allows the City to sell public assets; typically a list of auction items is created and approved by the Council prior to sale. She said that for lower cost items, the policy does allow some latitude for the Mayor to authorize the sale of an item; in this case there was an iPad being used by a previous Council member and that the Mayor authorized the release of the iPad for \$200 as it would have been much more costly to clean the unit for reuse. She went on to explain the Claims and Payroll numbers that are listed in the Consent Agenda and explained what needs to be signed and approved by the Council. She noted that those items are available in the Council packet for their review prior to the meeting and reiterated that the Council may ask her for further clarification on any of the expenditure items at any time.

Development Services Manager Nathan Pate clarified from the morning Study Session that the deadline for the state mandated planned development regulations is June of 2017.

Public Works Director Herb Amick reported that Street and Parks crews have been plowing snow and that the City is interviewing for the Water Plant Supervisor position and the Park/Utility position advertisement began today

## **PUBLIC HEARING ON EAST PINE STREET ANNEXATION AT 6:30 PM**

Mayor Farivar opened the public hearing at 7:19 PM.

Development Services Manager Nathan Pate stated that the public hearing is the final step in the annexation process which allows the public a chance to make a statement to the Council. He said that the City never forces an annexation, although the City did sponsor this annexation. Mayor Farivar briefly explained to the new Council members that there was an island of five homes in the county that were completely surrounded by City and that it is in the best interest of the City to annex those properties. She said that she personally visited all five property owners and explained the process; all of the property owners were agreeable to the annexation.

Mayor Farivar asked Ms. Jennifer Anderson if she wished to comment; Ms. Anderson stated that she is in agreement with the annexation and declined to comment.

Mayor Farivar asked if there were any comments from the public, hearing none she closed the public hearing at 7:22 PM.

## **RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS**

### **1. Motion to elect Mayor pro tempore**

City Administrator Joel Walinski stated that the Council is being asked to consider the appointment and designation of a Mayor pro tempore. He said that Councilmember Carolyn

Wilson has served as the Mayor pro tempore in 2014 and in 2015 and that the Council may elect the standing Mayor pro tempore or elect a new one. Mayor Farivar went on to explain the duties of the Mayor pro tempore.

Councilmember Molohon nominated Councilmember Wilson as Mayor pro tempore. There were no other nominations.

Councilmember Larson motioned to nominate Councilmember Wilson as Mayor pro tempore. The motion was seconded by Councilmember Francis and passed unanimously.

## **2. Authorization to Bid Chumstick Waterline / Trail Project**

City Administrator Joel Walinski stated that the City Council is being asked to authorize the public bid of the Chumstick Highway Multi-Purpose Trail and Water/Sewer Transmission Lines. He said that the lift station has been removed from the project as the engineer has been unable to locate a lift station that is manufactured with American certified steel, which is a requirement in federally funded projects. He said that Mr. Larry Cordes, P.E., Pace Engineering will address the Council.

Mr. Cordes began with a power point presentation which displays the location of the project, the location of the trail, water and sewer lines, relocation of the PUD power pole, the North Road intersection, and the area of the Meadowlark Affordable Housing Development. He confirmed that any “buy America” issues will be bid separately.

Administrator Walinski confirmed that the total construction cost of the project is estimated at \$1,138,671; \$387,102 for the construction of the trail; \$563,481 for the construction of the water and sewer lines; and the estimated cost of the lift station package with auxiliary generator is \$188,088. In addition to these costs there are \$85,000 in costs for the relocation of a high power electric power pole for construction of the trail and \$56,373 in construction engineering and inspection costs. There is \$380,971 of state and federal funds available for the construction of the trail. The City has established a LID with a not to exceed amount of \$960,000 for funding of the water and sewer transmission lines and lift station. The City commitment to the LID at this time is \$193,000 to offset those assessments assigned to the affordable housing units within the project and to initiate and bond for the other needed funds, the annual debt service amount will be paid for by the property owners receiving benefit from this project. To this point of the project, the City has provided the funding for much of the upfront costs of engineering and design and Right of Way (ROW) acquisition. The expenditures to date for the City are \$422,310.69. These include engineering and design fees, ROW acquisition which includes the \$275,000 purchase of the Duncan Property, which is essential for the Meadowlark Development, and the legal fees needed for establishment of the LID. The overall estimated total cost for the project at this time is \$1,678,200.

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

Chuck Reppas, 12620 Ranger Road, Leavenworth; Mr. Reppas, Executive Director of Upper Valley MEND stated that the property owners have been working with this project for quite some time, and even if the Meadowlark Affordable Housing Development doesn't go through, it will be a great improvement for the property.

Sharon Waters, 336 Birch Street, Leavenworth; Ms. Waters stated that she has been reading the paper about the 2 Million dollar shortfall and asked if the trail was on city property. Administrator Walinski stated that the trail is going on county ROW and purchased easements, and all of the property is within the city limits. Mayor Farivar added that the Duncan property acquisition will also accommodate the intersection of North Road and Chumstick Highway. Ms. Waters questioned where the funding is coming from and City Administrator Walinski confirmed the City's use of grant funding and the property owner's use of LID. He went on to explain that this project will not only accommodate the Meadowlark Affordable Housing Development, but will also accommodate the future expansion of the City of Leavenworth. Councilmember Wilson motioned to authorize the advertisement and public bid of the Chumstick Multi-Purpose Trail and Water/Sewer Transmission Lines contingent upon the obligation of construction funding by the Washington State Department of Transportation. The motion was seconded by Councilmember Bretz and passed unanimously.

### **3. Ordinance 1516 Annexation Request – East Pine Street**

Development Services Manager Nathan Pate stated that the City Council is being asked to adopt Ordinance No. 1516 and noted that it is the final step for the annexation of property owned by Nina Rinke, Heinz Best, Shane Anderson, Lester & Laurie Nunn, and Matthew & Courtney Porter located on the 800 block of Pine Street in Leavenworth.

Councilmember Neighbors motioned to adopt Ordinance 1516, Annexation of properties described as Varney's Block 2 Lots 1 - 10. The motion was seconded by Councilmember Larsen and passed unanimously.

### **4. 2016 Pacific Security Contract**

City Administrator Joel Walinski stated that the City Council is being asked to review and approve a Professional Services Agreement with Parker Corporate Services DBA Pacific Security for onsite security services for the Leavenworth downtown commercial area and surrounding residential areas, for the officers to perform the duties of parking enforcement, and for an officer to assist with traffic control in the Water Front Park parking lot this summer. He confirmed that the full contract amount for 2016 is a not to exceed amount of \$61,178.00. He went on to explain that security patrols throughout the City are funded by Lodging Tax Funds, the Parking Enforcement is funded with parking fees, and the enforcement of the parking lots at the local parks will be funded by the General Fund. Mayor Farivar noted that the City's relationship with Pacific Security is the most positive relationship that the City could ask for.

Councilmember Molohon motioned to approve the contract with Pacific Security for security patrols, parking enforcement and Waterfront Park patrols for 2016 for a not to exceed amount of \$61,178.00 and authorizes the Mayor to sign said contract. The motion was seconded by Councilmember Wilson and passed unanimously.

### **5. Approval of Meadowlark Subdivision Street Names**

Development Services Manager Nathan Pate stated that the Development Services and Public Works Departments will present potential street names for the Meadowlark Subdivision for future dedication. There was a brief discussion regarding single name streets and dropping "Strasse" from the names altogether.

Chuck Reppas, 12620 Ranger Road, Leavenworth; Mr. Reppas stated that he is okay with "Meadowlark Strasse", although he feels that the other names should be followed by "Street". He suggested "Avenue" or "Drive" to follow "Meadowlark". He assured the Council that the property owners are working as diligently as possible to continue with their efforts. He said that the only way to make it work is to keep pushing hard.

Councilmember Larsen motioned to name: Road D – Meadowlark Street, Road C – Raven Street, and Road B – Finch Street. The motion was seconded by Councilmember Francis and passed 6/1 with Councilmember Molohon opposed.

**6. Appoint Scott Bradshaw to Planning Commission Position No. 5**

Development Services Manager Nathan Pate stated that the City Council is being asked to confirm the Mayor's appointment of Mr. Scott Bradshaw to the City of Leavenworth Planning Commission. He said that there has been a vacancy for quite some time and that Mayor Farivar has been recruiting and interviewing suitable candidates. Mayor Farivar confirmed that she did interview Mr. Bradshaw and was impressed with his experience. She went on to say that Planning Commission Chairman Larry Hayes interviewed Mr. Bradshaw as well and is enthusiastically encouraged to have him on the Planning Commission.

Councilmember Larsen motioned to confirm the Mayoral appointment of Scott Bradshaw to the Leavenworth Planning Commission Position No. 5. The motion was seconded by Councilmember Neighbors and passed 6/1 with Councilmember Bretz opposed.

**INFORMATION ITEMS FOR FUTURE CONSIDERATION**

Mayor Farivar stated that the Council will decide the Mayor & Mayor Pro-Tem Committee Assignments at the next meeting.

**ADJOURNMENT**

Seeing no other business, Councilmember Francis motioned to adjourn the January 12, 2016 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Molohon and passed 6/1 with Councilmember Larsen opposed.

The meeting adjourned at 8:19 PM.

**APPROVED**

  
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**Cheryl K. Farivar**  
Mayor

**ATTEST**

  
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**Chantell Steiner**  
Finance Director / City Clerk