



City of Leavenworth

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City Council
Cheryl K. Farivar - *Mayor*
Elmer Larsen
Carolyn Wilson - *Mayor Pro-Tem*
Mia Bretz
Margaret Neighbors
Sharon Waters
Clint Strand
Jason Lundgren
Joel Walinski - *City Administrator*

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall – Council Chambers
January 23, 2018 - 6:30 PM

Call to Order

Flag Salute

Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of January 9, 2018 Regular Meeting Minutes and Study Session Minutes
3. Approval of January 16, 2018 Special Meeting Minutes
4. 2017 Claims \$97,359.95
5. 2018 Claims \$144,279.95

Councilmember and Committee Reports

Mayor/Administration Reports

Comments from the Public on Items Not on the Agenda

Joint Meeting with the Planning Commission

Resolutions, Ordinances, Orders and Other Business

1. Action: Acceptance of 2018 Planning Commission Docket
2. Action: Resolution 1-2018 Amending Council Policies, Rules, and Regulations
3. Action: Mayor Pro Tempore Standing Committee Assignments
4. Action: Mayor Ad Hoc Committee Assignments
5. Action: Commercial St./Whitman St./Enchantment Way Improvement Project
6. Action: 2018 Pacific Security Contract – Expires 1/30/2018

Information Items for Future Consideration

1. Group Funding Applications Due by March 1, 2018

Adjournment

Council Committees -4th Tuesday –

Econ. Dev. 4:00 Finance 5:00

(Next Ordinance is 1559 - Next Resolution is 2-2018)

SUPPLEMENTAL COUNCIL AGENDA

1. Acceptance of 2018 Planning Commission Docket

The City Council is being asked to approve the “2018 Docket.” The Docket is a list of potential amendments to the Leavenworth Municipal Code for 2018. This document provides the direction to the City’s Planning Commission on the work plan for the year.

Tonight's joint meeting with the Planning Commission allows for the Council and Commission to study and discuss the “Planning Commission's 2018 Docket.” At the beginning of each new year, the Council conducts a "Special and Joint" Planning Commission Meeting, whereby the proposed "Planning Commission’s 2018 Docket" can be further refined with the Planning Commission. The Council and Commission have this opportunity to review, comment, and deliberate on the Docket.

Every year, the Planning Commission works on the City’s “Docket.” Typically, this list of amendments (the Docket) is developed throughout the year from citizen, Council, Planning Commission, and staff comments or requests. The compiled list identifies potential Municipal Code (zoning and development) and map revisions and/or amendments. **The primary focus areas within the 2018 docket are the many components taken from the recommendations of the Housing Affordability Task Force** and follow-up of the 2016 Stormwater / Wetlands Master Plan.

The Development Services Department has prepared an annotated version of the draft Docket (Many comments are included after the listed topic). The draft docket was reviewed by the City Council at the City Council Study Session held on November 14, 2017. The annotations / comments are provided for discussion, to help clarify the topic / amendment, and are an effort to explain the need, history, or what may become an amendment. These are not (but may be) recommended solutions for consideration or text for an amendment. The amendments require the Planning Commission deliberation and public vetting process. The amendment may change through the public study and discovery process.

The "Docket" is formatted in separate levels of proposed amendments. The first section is considered a high priority; the intent is to complete within the year of the amendment cycle. The second section is considered a medium priority; if the items within the "high priority" list are going extremely well, and as time allows, these may be completed in the year. This year includes an attachment of topics that may be considered low priorities. These are kept on the list for consideration (not forgotten), but may not be completed. The progression of an amendment depends upon complexity.

The Council may notice that many of the amendments are from the previous cycles. As time goes on, the number of amendments "rolling over" should diminish. In addition, amendments that are a part of the Comprehensive Plan, development regulations, and any other GMA related changes are processed within this amendment cycle. Other amendments may be processed separately, and not included in this list.

Although the Council is in the process of completing the update of the entire Comprehensive Plan, annually, the City of Leavenworth enters a cycle to receive requests for community proposals to amend the City’s Comprehensive Plan, including the Land Use Zoning Map. All requests for city-initiated amendment proposals from the public must be received by December

31st to be considered for the upcoming year's amendment process (none received). By January 31st of each year, all required application materials for proposed map amendments (excluding the unincorporated portions of the urban growth area) which are not city-initiated (i.e., those which are requested by private persons, organizations, agencies, etc.) must be submitted to the City. Map amendments within the unincorporated portions of the urban growth area that are not required to be initiated by the City shall be submitted to Chelan County per the requirements outlined in the Chelan County Code. The Docket includes a "place holder" for such applications.

The following items are included under **TAB 1:**

- Planning Commission Docket for the 2018 Cycle of Code Amendments
 - **MOTION:** *The Leavenworth City Council moves to approve the 2018 Planning Commission Docket, and tasks the Planning Commission to proceed with the amendment process*

2. Resolution 1-2018 Amending Council Policies, Rules, and Regulations

The City Council is being asked to approve Resolution 1-2018, which is the Council's policies, procedures and rules of conduct. One change to the document discussed at the January Study Session was to formalize the public comments section at the beginning of the meeting rather than the end. The second amendment is concerning discussion of committee reporting; this topic was suggested to be a formal process included within Study Sessions to help streamline evening meeting reports through less detailed reporting. These changes are consistent with the current City Code and requires no additional changes to code language.

The following items are included under **TAB 2:**

- Resolution 1-2018 redlined from Resolution 1-2012
 - **MOTION:** *The Leavenworth City Council moves to approve Resolution 1-2018 Amending Council Policies, Rules and Regulations.*

3. Mayor Pro Tempore Standing Committee Assignments

The City Council is being asked to confirm Mayor Pro-Tempore Wilson's appointments of City Council Members to the Council Standing Committees of Public Works, Public Safety, Parks, Economic Development, and Finance. Under the authority provided in RCW 35A.12.120, the City Council may enact rules and regulations to govern the conduct and operations of the City Council. This authority includes the ability to determine if and when standing committees will be utilized, what the committees will be, how they will conduct their business, and how their members will be appointed. Under Resolution 1-2012 Section 4, the City Council Procedures and Rules; the Mayor Pro-Tempore makes appointments to the standing committees with confirmation by the City Council.

One additional committee that the City Council had discussed at the January Study Session was the formation of a Housing Committee. Staff is suggesting adding the formation of this committee as a discussion topic to the February Study Session to identify the goals of the committee, committee member make-up and meeting days.

The following items are included under **TAB 3**:

- RCW 35a.12.120: Council – Quorum – Rules – Voting
- Resolution 1-2012: Rules of Conduct
- 2017 Appointments to the City Council Standing Committees
- **MOTION:** *The Leavenworth City Council moves to confirm the City Council appointments by Mayor Pro-Tempore Wilson to the City Council Standing Committees for 2018.*

4. Mayor Ad Hoc Committee Assignments

The Council is being asked to reconfirm Mayor Farivar's appointments to the Ad Hoc Committees and City representatives to other agencies where City representation is necessary. The City has various representatives on local and regional boards; the City's past practice is for the Council to review and confirm the Mayoral appointments.

- A. The first motion is to reconfirm the Mayoral appointments of Council Member Margaret Neighbors and Mr. Karl Ruether to the Festhalle Oversight Committee for another three-year term.
- B. The second motion is to confirm the appointment of City Administrator Joel Walinski to the Festhalle Oversight Committee. Mr. Walinski would be the Mayor's Representative on the Festhalle Oversight Committee; this appointment is made annually.
- C. The final motion is a confirmation of the Mayor's appointment to Ad Hoc Committees and City Representative Assignments. The appointment to these committees is at the discretion of the Mayor; the confirmation by the City Council is to confirm that Council has reviewed the Mayor's appointments.

The following items are included under **TAB 4**:

- 2017 Appointments to the City Council Ad Hoc Committees
- Festhalle Oversight Committee Membership
- **MOTION 1:** *The Leavenworth City Council moves to confirm the Mayor's appointment of Councilmember Margaret Neighbors and Mr. Karl Ruether to the Festhalle Oversight Committee for a term of three years.*
- **MOTION 2:** *The Leavenworth City Council moves to confirm the Mayor's reappointment of Joel Walinski to the Festhalle Oversight Committee for a term of one year.*
- **MOTION 3:** *The Leavenworth City Council moves to confirm the Mayor's appointments to Ad Hoc Committees and the City Representatives on other agency boards.*

5. Commercial Street / Whitman Street / Enchantment Way Improvement Project

The City Council is being asked to approve the advertisement for bid of the Asphalt Improvement Project for Commercial Street (3rd Street to Joseph) and Whitman Street (Ski Hill Drive to Woodward). The project would involve the grinding and milling of the existing asphalt roadway and then the placement of a 3-inch asphalt roadway. The work includes the replacement and relocation of stormwater catch basins and sewer lids located within the roadway. The project also includes the replacement of the asphalt on Enchantment Parkway from Scholze Street to Commercial Street. The project does not include the addition of any sidewalks in this construction area. The project is being funded by a Transportation Improvement Board (TIB) Grant of \$477,000 and a 5% match by the City of Leavenworth Transportation Benefit District (TBD) funds. The bid period will be open for three weeks. Once bids are received, the bid submittals will be reviewed for completeness and a recommendation on the lowest qualified bidder will be presented to the Council for consideration of a bid award. The Call for Bids will be published in the Seattle Daily Journal of Commerce on January 24 and 31, 2018 and will be available for review on the Builders Exchange website on January 24th.

The following items are included under **TAB 5**:

- Call for Bids
- Maps of project area
- **MOTION:** *The Leavenworth City Council moves to authorize the advertisement for bids for the Asphalt Improvement Project for Commercial Street and Whitman Street.*

6. 2018 Pacific Security Contract – Expires 1/31/2018

The City Council is being asked to review and approve a Professional Services Agreement with Parker Corporate Services, Inc. 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 throughout the City and to provide on call investigation services for the enforcement of overnight rental violations. The full contract amount for 2018 is a not to exceed amount of \$61,987.50. The officers provide an additional public safety presence throughout the downtown, parks, and residential neighborhoods; and the officers also have access to the Chelan County Sheriff's Office in the event they witness a crime or observe suspicious activity.

The additional "Security Patrol" began in September 2012 with subsequent contracts in 2013 and 2014; in each of those years, the contract was for extended periods from May through September and the month of December. This year's contract is similar to the service levels for the years 2015 – 2017. In 2014, the City began contracting with Pacific Security for parking enforcement at City parking lots and on street violations. In 2017, the City amended the contract to assist the City in overnight rental enforcement with Pacific Security providing a 24-hour hotline and investigation services. A review of each service area for 2018 is called out below:

The "Security Patrol" portion of the contract is for a service period of twenty weeks commencing on May 1, 2018 and running through September 30, 2018 and the period from Thanksgiving weekend through New Year's weekend, 2019. The contract amount for this service is for a not to exceed expenditure of Twenty Eight Thousand Eight Hundred and Thirty-Five dollars (\$28,835) billed at an hourly rate of \$24.95 per hour for the primary officer and \$20.23 per hour for a

secondary officer when scheduled. The base schedule is 7:00 PM through 3:00 AM Friday, Saturday, and two rotating evening shifts per week. The additional officer will be added on Friday and Saturday evenings plus holiday/festival weekend evenings when necessary with a scheduled time of 10:00 PM – 3:00 AM. The base schedule and hours are subject to review and modifications based on the needs of the community. The City will be provided copies of the shift logs, which the Public Safety Committee reviews on an ongoing basis. The City Council approved Fifty Thousand dollars (\$50,000) annually within the Lodging Tax Fund in the 2017-2018 Budget to be made available in order to provide this service and additional deputy contracted services for festival support.

The parking enforcement service is for six random three-hour shifts six times per week, throughout the entire year. The not to exceed amount for this part of the contract is Twenty-Three Thousand One Hundred and Fifty-Two dollars and Fifty cents (\$23,152.50). The officer would provide the necessary information, photos, and written report to the City for invoicing of the overtime/no pay parking violation and other on street parking violations. The initial fee for overtime parking or parking without proper payment is \$25.00. Continual non-payment of fees for overtime parking could eventually lead to towing of the vehicle, and this officer could also assist the City with this procedure if requested and needed. The Parking Fund would be used for this expenditure; overtime fees and non-payment fees would be collected and credited as parking revenue to the Parking Fund. In 2017, the City collected approximately \$22,500 in parking enforcement fees and expended \$20,861 for services. In 2016, the City Council expanded this service and provided officers the authority to enforce yellow zone parking, overtime on street parking, and blocking of sidewalk travel areas.

One additional service that is included within the scope of work is maintaining the Overnight Rental Complaint Line at \$109.00 per month and the options for the City to use Pacific Security Investigation Services on an “as requested basis” for online and infield investigations needed for overnight rental investigations at a cost of \$35.00 per hour. In the event the City would request surveillance services, that cost would be at \$90.00 per hour plus expenses. Staff is requesting the set aside dollar amount for this service line item be set at a not to exceed cost of \$10,000. In 2017, the City Council allocated \$60,000 for possible enforcement of overnight rental violations. However, after the aggressive public education process and initial investigations and notification to violators, complaints regarding overnight rentals in the residential neighborhood have decreased significantly. Staff is still recommending the hotline remain in place and resources be made available for investigations when needed.

The total contract allocation being requested for 2018 for Pacific Security, which includes security patrols, parking enforcements, and on-call services for overnight rental investigations is \$61,987.50. The base contract with Pacific Security in 2017 was \$50,103, which included the Security Patrols and Parking Enforcement.

The following items are located under **TAB 6**:

- Professional Service Agreement
- Exhibit A: Proposal & Scope of Services, Pacific Patrol
- **MOTION:** *The Leavenworth City Council moves to approve the 2018 Professional Services Agreement with Pacific Security for security patrols and parking enforcement patrols for an amount not to exceed Sixty-One Thousand Nine Hundred and Eighty-Seven dollars and Fifty cents (\$61,987.50) and authorizes the Mayor to sign said agreement.*