

# LEAVENWORTH CITY COUNCIL STUDY SESSION MINUTES

## February 9, 2016

Mayor Cheryl Kelley Farivar called the February 9, 2016 Study Session to order at 9:00 AM.

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

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

### 1. Chamber Report

Chamber Director Nancy Smith updated the Council on a survey completed by the Chamber on recent festivals that produced about 150 responses providing valuable feedback. Council members provided some positive feedback on the recent Ice Fest Festival as it was very cold and that allowed for great activities with the snow and ice. City Administrator Joel Walinski commented that the City would like to work more with the Chamber in the future for coordination efforts regarding the flow and movement of vehicles and people during the highly visited festivals.

Director Smith stated that many cities have business and occupation taxes (B&O Taxes) that are currently being discussed at the legislative level for allowance to increase these tax limits. She anticipates this new bill to likely not move forward which in turn will again keep a State Tourism Program from restarting. Finance Director Chantell Steiner briefly noted that a City that is not a B&O Tax city, which Leavenworth is not, may not be able to enact such legislation due to state laws that restricted this in previous years.

Director Smith noted concern regarding the pointy people current locations and said that there are some challenges in placement and moving them as they are very heavy. She said the Chamber is currently reviewing feedback related to some of the digital marketing that is being explored by the Chamber. She then encouraged folks to wear Bavarian clothing during the Maifest Festival this year as there will be special newsgroups in town doing reporting; the Chamber is planning to vamp up the festivities and dance groups this year due to their attendance. She explained the outreach that is going on by the Chamber right now for new ideas and photos; this year the Chamber theme is going to play on romance and love in various aspects. She reminded the Council that she periodically has a conference call with State Legislators and invited council members to reach out to her to attend if interested.

### 2. Animal Control / Humane Society – Dawn Davies

Mayor Farivar welcomed Dawn Davies with the Wenatchee Valley Animal Care & Control. City Administrator Joel Walinski gave the Council a brief update on the need for an animal control contract to address community needs including loose and/or aggressive dogs and dogs left in hot cars. He stated that the new contract being presented today includes a higher level of support and response from Animal Control to help address the concerns raised by citizens for animal control and assistance.

Ms. Dawn Davies provided the Council with an update on how the Animal Control agency has morphed over the years to isolate costs of each of the programs within the agency for better budgeting purposes. She reviewed how the agency is broken up among three main sections that include animal control, the operations of the adoption facility and the operations of the Club Pet program. She further explained the laws that govern how the agency receives, processes and adopts the pets with specific time requirements involved to allow for lost pets to be reunited with their owners. She then reviewed the history of Leavenworth's contracts from 2011 forward where contract costs moved up in the earlier years for increased care and control and then went down in recent years as more services were being removed from the contract. In the last two years the agency has been receiving increased calls for dogs left in hot cars and loose dogs that the contract was not able to address as it did not have allowance for traveling to Leavenworth to address control issues. The proposed new contract restores the response to complaints, allows for 24 hour phone services and includes the continued support of receiving animals at the facility.

Mayor Farivar questioned how licensing could be addressed for Leavenworth citizens if the licensing is transferred to the Animal Control and will no longer be a procedure of the City of Leavenworth. Ms. Davies discussed how folks can pay by coming to the facility, via the mail or by calling in to license their pet. She noted a small fee for phone processed requests for credit card transactions. Ms. Davies stated that the agency does three billing reminders and then institutes a \$150 penalty fee if pet owners do not renew their licenses. Council discussed concerns with the increased responsibility and fee increases on the citizens and ways to mitigate the impact due to the distance to Wenatchee by looking at continuing to accept payment at the City of Leavenworth on behalf of Animal Control. A brief discussion of the current licensing fee versus other community fees were noted and identified that Leavenworth has a low fee that should be considered for increases.

Councilmember Francis stated that he would like to see the contracts be countywide as that would assist Sheriff deputies as well in understanding the rules and regulations within the specific communities and will reduce the need for citizens to contact the Sheriff when it is not truly an emergency. Discussion continued on loose dogs and owners that walk their dogs off leash in the parks and how this contract will not necessarily address this issue because the time needed to travel to Leavenworth from Wenatchee typically results in the dog no longer being in the area when responders arrive.

Council questioned how cats are addressed in the contract. Ms. Davies stated that spay and neutering of cats is a standard procedure when cats are picked up by Animal Control. She then discussed how the agency can also assist in specific locations for high feral cat populations that the community would like addressed.

### **3. Parking Improvements**

Administrator Walinski provided the Council with a missing page in the cost estimates regarding the cost of boulders. He gave the Council a brief update on the improvements to date to the P1 and P2 parking lots and the recent engineering that has been completed for the presentation today.

Aaron Schmidt, PE of Integritech proceeded to review the packet materials starting with the review of the fence/railing estimate for the P2 Lot that is estimated at about \$75,000. He noted

that the height of the pedestrian railing will be critical in creating the safety necessary to avoid a fall into the lower level of P2. Council asked for cost comparisons for different options of the railing/barriers. Councilmember Bretz questioned whether the City complies with design requirements that are reviewed by the Design Review Board. Administrator Walinski confirmed how the City's projects are reviewed for compliance through the Downtown Master Plan and that the City intends to correct issues with this property that were in place prior to the City purchasing it that do not meet those standards, such as removing the cyclone fencing with the new design options being discussed today. Discussion of the fence height of the standard 42" railing was reviewed; Councilmember Francis stated that he thinks that this location may benefit from a higher standard to ensure better public safety. Engineer Schmidt noted specific regulations regarding the 42" fence height and distances between bars; he stated that the presented materials meet the minimum requirements. Council noted the height of the fall of this location if someone were to go over the railing and Council members Francis and Wilson voiced concern at just the minimum for height as they would like to see the estimates based on 60" for comparison purposes. Engineer Schmidt then reviewed the locations of boulders along the highway portion of the property; Public Works Director Herb Amick noted that the City may be able to address the boulders in-house to save some costs on that portion of the project.

Engineer Schmidt then reviewed the electrical improvements and locations for the parking pay stations; he provided current locations of pay stations and lights in P1 and future locations for P2 and P3. He explained the requested need to have conduit locations throughout the lots and a 3-Phase Power supply between P1 and P2 on the highway side of the lots where there is already current electrical access for ease of installation. Having this increased power supply could assist with future needs such as Oktoberfest power needs, snowmaking or a temporary ice rink. He noted that including spare conduits at installation will also decrease costs later if additional power is needed in the future. Engineer Schmidt explained in detail where conduits would be under ground in most locations and exposed in others as well as how the sconces will be lighted from the poles and conduit locations via wiring from the main power supply locations. Administrator Walinski added that with the design, users would be able to utilize and track electrical costs for powering the needs of their individual events.

Administrator Walinski stated that the City currently has about \$90,000 from the bond financing remaining and stated additional revenues could come from parking revenues. The total project at this time is estimated at about \$400,000. Councilmember Molohon stated that some funding could also come from Lodging Tax funds if necessary. Mayor Farivar stated that the Council will need to discuss how to approach the improvements as the City does not have the full amount at this time to make all of the improvements. Councilmember Larsen stated that he believes the first priority should be to correct the fencing and barrier needs first for safety concerns and then to look at adding the electrical to at least the P2 lot. Engineer Schmidt discussed options to phase some of the pieces; however, others expressed the need to look at the project as a whole. Director Amick added that the current plans do not include any funding to address the surface of the P2 Lot that is in need of repairs; this was noted as something to also look into further. Administrator Walinski cautioned small costly improvements now that may be temporary due to potential long range goals of expanding the parking structure to a multilevel structure. Engineer Schmidt thanked the Council for their comments and stated that he would get additional cost estimates discussed today to the staff to review further.

#### **4. Council Communication**

Mayor Farivar identified the flow chart on Citizen and Council communication that has been put together by city staff. Administrator Walinski stated that this flow chart shows the current procedures in which a citizen may reach out to the Council to express ideas and receive feedback. He walked the Council through the various options and steps involved depending on how communication is initiated. He explained some challenges with expectations in that sometimes an item brought forward does not necessarily move forward immediately or in some cases dies due to a lack of further interest by the Council or funding availability. The Council discussed how a single person's view can create this situation when it is not supported by a group of others; several examples were discussed on recent items that have come forward and then do not proceed further into any type of implementation. Council members Neighbors and Bretz questioned the response process by staff and Council when they are contacted which creates a circular flow of information rather than just one way communication; they suggested incorporating this into the flow chart as a circular design.

Mayor Farivar explained the responsibility of the staff and Council to respond to citizen requests when information is received as well as following up after more information is gathered. Council continued to discuss the need to respond as well as to be cautious in what information is provided based on a person's level of understanding of a specific topic; sometimes directing citizen requests to the staff for specific details could eliminate confusion and misunderstanding as the requested information progresses. Councilmember Larsen reminded the Council that the public process requires time to make decisions and that this is a key part that should be explained to constituents when reaching out to council members.

Councilmember Bretz stated a concern of hers at needing to make a decision without prior knowledge during evening council action items. She shared her discussions with another councilmember from the City of Duvall where she was told that their action meetings are very short due to a significant amount of communication outside of the meetings by members that assisted them in making timely decisions during meetings. Mayor Farivar cautioned this concept due to the lack of citizen involvement when topics are not discussed openly in public meetings as well as the potential to create serial meetings that are a violation of the open public meetings act. It was noted that another issue is that the Council typically communicates most during working study sessions and committee meetings while evening meetings are for taking action so this can be challenging for a citizen who only attends the evening meeting. Council continued to discuss different scenarios of how information is received, addressed, and how best to respond to each situation. Councilmember Bretz questioned ways to communicate better with subcommittee meeting information such as the agendas for them or perhaps minutes that may help the public; she explained how she does highlights of the committees that she attends on her personal website. Administrator Walinski reminded the Council that during the evening meeting the council members are reporting for the record the items discussed at the subcommittee meetings in an effort to further inform the other council members and public on those topics. On a final note the Council discussed looking at a different seating configuration for the study session that shows more openness to the public by having no one with their backs facing the public.

## **5. 2016 Draft Agenda Items & Objectives and Project Tracker**

Mayor Farivar identified the draft agenda items and project tracker that is provided by staff for the Council to be aware of ongoing meetings and projects. Administrator Walinski stated that the first column showing as April for many projects includes figures of percent completed as these projects are being carried into 2016 from the previous year. He then updated the Council

on the legal items at the end of the project tracker regarding water rights that continues to be an ongoing need for Leavenworth. He stated that the Council will have discussion of the projects and new projects at the upcoming Budget Retreat in March that may generate additional items to the project tracker. He noted that this project tracker is always uploaded when updated to the City's website for the public to also be involved and aware of the ongoing projects. It was noted that the draft agenda items is a living document that can change daily; therefore, this document is provided on a quarterly basis to the Council and is not added to the website.

## 6. Quarterly City Newsletter Recommendations – Distribution in March

Mayor Farivar reviewed the items suggested for the upcoming newsletter and asked for other ideas. Councilmember Francis suggested including a piece on the changes with the new animal control contract. Councilmember Larsen would like to include the Firewise article now to get this on the public's thought process in preparation for summer which could be combined with the spring clean-up article; Director Steiner stated that she will alert Executive Assistant Sue Cragun to pull the previous article from last year's newsletter for updating.

## 7. Council Open Discussion

Director Steiner confirmed the reservation for the annual budget retreat to be March 4, 2016 at the Bavarian Lodge in the Montafon room from 8:00 AM to 2:00 PM.

Councilmember Wilson said that the Winter Sports Club is being told that some business owners and employees are telling visitors that skiing is free along the trails that go out around the Golf Course. It was noted that unfortunately you cannot stop this miscommunication. Discussion ensued on miscommunication regarding paying for parking at some of the city owned lots as well.

Councilmember Bretz updated the Council on the Mountain PAC that she previously mentioned exploring noting that nothing has changed since the last update but wanted the Council to know that she is staying abreast of what the organization is doing.

Councilmember Francis noted some concern at subcommittee meetings being dominated at times by discussion and encouraged everyone to consider allowing time for public visitors to interject ideas when needed.

Study Session adjourned at 11:35 AM.

**APPROVED**

  
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**Cheryl K. Farivar**  
Mayor

**ATTEST**

  
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**Chantell Steiner**  
Finance Director/City Clerk