

LEAVENWORTH CITY COUNCIL MINUTES

February 9, 2016

Mayor Farivar called the February 9, 2016 Leavenworth City Council meeting to order at 6:30 PM and Councilmember Wilson 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 January 26, 2016 Regular Meeting Minutes
3. 2016 Claims \$161,982.90
4. January 2016 Payroll \$214,999.66

Councilmember Francis motioned to approve the consent agenda. The motion was seconded by Councilmember Molohon 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 December 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 November. There was a brief discussion of false alarms at the local businesses and the ordinance that was put into place in order to curb those incidents.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Mayor Farivar recognized Cascade High School student Kristin Clark who is in attendance at the City Council meeting. Ms. Clark stated that she is in attendance as criteria for her "Citizens of Washington in a Contemporary World" class at Cascade High School. She stated that she is rebuilding a 1975 Honda motorcycle for her Senior Project. Mayor Farivar and the City Council thanked Ms. Clark for attending the meeting and the Mayor presented her with a City of Leavenworth lapel pin.

Greg Morisoli, 12788 Spring Street, Leavenworth; Mr. Morisoli stated that he resides in the urban growth area and previously worked with the City regarding the City's accessory dwelling unit regulations in comparison to the regulations of Chelan County. He said that he is currently facing the same conflicting regulations in regard to the regulations which address overnight rentals. He went on to explain the differences and how those discrepancies apply to his particular property

and situation. He went on to say that there is a benefit to nightly rentals as they bring additional income to the property owner, is positive for the City, there are ordinances in place that regulate noise, and property owners typically live on the property and can regulate noise levels themselves. Mayor Farivar thanked Mr. Morisoli for bringing his concerns to the City Council and said that she will keep him aware of the upcoming meetings with the Planning Commission regarding any changes that may be addressed regarding overnight rentals.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Neighbors reported that she attended the 2016 City Action Days in Olympia, she met with State Representatives Brad Hawkins and Cary Condotta, attended breakout sessions, and participated in a class on parliamentary procedure. She went on to say that she attended the Festhalle Oversight and the Parks Committee meetings. She reported on the Parks Committee meeting and stated that she was elected Chairman of the Committee; the group discussed the Marson's property, Festhalle improvements, flowers, a water problem at the gazebo, a Request for Proposals for the tubing and rafting companies for commercial use in Waterfront and Enchantment Parks, and three potential Eagle Scout projects.

Councilmember Bretz reported that she attended the 2016 City Action Days in Olympia and met with the US Representatives and Senator Parlette. She said that it was very exciting and that she learned a great deal. She said that she attended training at the Link Board of Directors meeting and noted that she is quite impressed with the organization. On a final note she said that she attended the Parks and Public Works Committee meetings and met with Fire Chief O'Brian and Assistant Chief Eggleston in order to learn more about their particular roles.

Councilmember Wearne reported that she attended the 2016 City Action Days in Olympia, had the opportunity to testify at the Senate Hearing regarding the Wenatchee Watershed and noted that she enjoyed that opportunity. She went on to say that she also attended the Public Safety Committee meeting.

Councilmember Wilson reported that she attended the Public Safety Committee meeting and stated that the Committee met with representatives from the Autumn Leaf Festival Association and discussed the parking and traffic issues from their most recent event, Sergeant Long also reported to the committee, and there was a discussion that concerns changing an ordinance that will amend the parking enforcement that is performed by Pacific Security. She went on to say that she will be attending the Upper Valley Museum Board and Upper Valley Park and Recreation Service Area meetings later in the month.

Councilmember Larsen reported on the Residential Advisory Committee (RAC) meeting and stated that the Committee discussed the new Committee that has been selected to work with the Chelan County PUD on the location of the new substation that will be constructed in the City. He said that they had their first meeting and will follow up at a second meeting that is coming up soon. He said that he attended the Public Works Committee meeting and stated that the Committee followed up on the direction the Planning Commission is heading regarding Accessory Dwelling Units (ADU) and discussed how to apply the associated system development charges and monthly utility charges. They are looking to compromise and possibly having the size of the ADU unit determine when separate utility services may be required. He said there will be further discussion on the topic. He went on to say that there was also an update

on the Meadowlark Affordable Home project and noted that the City is working with CDBG and looking for definitive answers regarding the housing project.

Councilmember Francis reported that he attended the Public Works, Public Safety, and Festhalle Oversight Committee meetings. He reported on the Leavenworth Area Promotions last week noting a presentation by King 5 on social network advertising and media tracking opportunities.

Councilmember Molohon reported that he wasn't able to attend the Downtown Steering Committee meeting and noted that he will be attending his Committee meetings prior to the next City Council meeting.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that she attended the Residential Advisory Committee meeting regarding the planning of the new PUD Substation in Leavenworth, testified remotely to the subcommittee regarding Senate Bill 6516 regarding water rights and noted that Senator Parlette said that the Bill is moving along nicely, and that she will be attending the Chelan-Douglas Transportation Council Retreat on Thursday. She went on to report on the earlier morning Study Session meeting and stated that the Council received a report from the Chamber of Commerce, met with Wenatchee Valley Animal Care & Control (WVACC) Director Dawn Davies to discuss the 2016 Animal Control Contract, received a report from Aaron Schmidt, P.E. regarding the improvements to the City's pay parking lots, discussed the circle of communication between the Citizens and the City Council, and reviewed the upcoming agenda items, the project tracking document, and ideas for the spring newsletter.

City Administrator Joel Walinski reported that he attended the Festhalle Oversight Committee meeting and confirmed that the majority of the catering kitchen has been completed and worked out well over the weekend and will be used again this next weekend by a group on extended stay. He reported that the recent Timbrrr! Winter Music Festival was a sold out event at the Festhalle and that the group is considering a summer season in the future. He noted that those are the types of groups that the City would like to see more often as they bring overnight guests to the City. On a final note he stated that the Committee held a discussion on a policy called "City Days" and is hoping to expand on that idea with "Community Days". He said that the Committee is working on a definition and policy and will have a recommendation for the Council consideration in the next month or so.

Finance Director Chantell Steiner announced that the annual City Council Budget Retreat has been scheduled to take place on March 4, 2016.

Public Works Director Herb Amick reported that the new Water Plant Supervisor Arnica Briody began work on Monday and that interviews for the Parks / Utility Maintenance worker position will begin tomorrow.

PUBLIC HEARING ON Annexation Request Cascade School District at 6:45 PM

Mayor Farivar opened the public hearing at 7:04PM.

Development Services Manager Nathan Pate stated that this is the final stage of annexation where the Council will receive testimony from those who would like to speak to the annexation.

He reminded the Council that there was an in depth discussion of the annexation at the last meeting.

Bill Motsenbocker, 300 Evans Street, Leavenworth; Mr. Motsenbocker stated that he appreciates the cooperation that has been shared in working with the City and that it has been a win-win situation. He added that the construction plan is working out better than they had realized due to the change in plans to accommodate the right-of-way along Pine Street.

Mayor Farivar asked if there were any comments from the public, hearing none she closed the public hearing at 7:10 PM.

RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

1. Ordinance 1520 – Cascade School District Annexation

Development Services Manager Nathan Pate reported that the City Council is being asked to adopt Ordinance No. 1520. He confirmed that this is the final step for the annexation of property owned by the Cascade School District located at 12240 Pine Street, Leavenworth, WA. He noted the three findings that were stricken from the ordinance at the request of the City Attorney and confirmed that the applicant has successfully completed the annexation petition. Administrator Walinski said that the City and school district have accomplished a great deal through the negotiations; securing the property in order to gain Pine Street ROW and working together with the School District on securing their future use of the existing building and the wetland mitigation issues the district may have.

Councilmember Larsen motioned to adopt Ordinance 1520, not including sections 7, 8, and 9, Annexation of property owned by the Cascade School District located at 12240 Pine Street, Leavenworth, WA 98826 and, identified as Chelan County Assessor's Parcel No. 241701320100 together with that portion of Pine Street right-of-way just south of the parcel and Titus Road from Pine Street to the northern limit of the existing city limits on the east side of Titus Road. The motion was seconded by Councilmember Wilson and passed unanimously.

2. Ordinance 1521 – Fence Code and Sight Distance Update

Development Services Manager Nathan Pate provided a red-lined copy of the suggested amendments to the Leavenworth Municipal Code (LMC) regarding fence standards and specifications in order for the Council to understand what is being recommended. He noted that this item was originally discussed by the Council at the October 13, 2015 City Council meeting in response to Mr. Blazquez and his incorrectly placed fence. The Council asked City staff to bring a recommendation to the Council that would update and simplify the City's fence code. He went on to say that Administrator Walinski met with the Residential Advisory Committee to receive feedback and discuss changes to the fence code, the Public Safety Committee reviewed the fence code and made recommendations, and the City Council has reviewed proposed changes to the fence code at a previous Study Session meeting. He confirmed that the changes will modify the code by taking away the permitting of residential fences by the City, the changes in height dimensions in proximity to the right of way, and may allow a taller fence with openings. The Councilmembers briefly discussed compliance with the new regulations, enforcement regarding the proximity to the right-of-way, and sight access points in regard to driveways.

Sharon Waters, 336 Birch Street, Leavenworth; Ms. Waters asked the Council how this Ordinance affects Mr. Blazquez's fence. Manager Pate confirmed that the new regulation effectively handles his situation.

Councilmember Molohon motioned to adopt Ordinance 1521 adopting amendments to the Leavenworth Municipal Code to update LMC Sections 18.24.010 and 18.24.020 regarding Corner lot – Obstructions to visibility prohibited and Fences, walls and hedges – Restrictions (respectively). The motion was seconded by Councilmember Neighbors and passed unanimously.

3. Special Use Permit – Noise / Ale-Fest 2016

City Administrator Joel Walinski stated that the City Council is being asked to consider and approve a Special Use Permit (SUP) to allow increased noise levels for Ale-Fest being held on April 22 – 23, 2016. He said that as per the noise levels, all of the events activities will be taking place within the building and although there is a SUP issued, the sound has always been contained within the Halle. He confirmed that the City has never received a complaint regarding the event and added that the Ale-Fest coordinators will be self-monitoring their noise levels throughout the event as they have in previous years.

Ms. Rebeca Wadkins-Bagwell stated that Ale-Fest is in its tenth year and that the group began their two day events last year. She said that the Ale-Fest Committee decided to close the event earlier this year based on what happened last year. She noted that they are using local bands and suppliers for the event. She went on to address the noise sampling that will take place and who will be monitoring that noise. She confirmed that Ale-Fest was within the permitted limits last year during testing.

Councilmember Molohon motioned to approve the Special Use Permit for Ale-Fest. The motion was seconded by Councilmember Bretz and passed unanimously.

4. Animal Control / Humane Society Contract

City Administrator Joel Walinski stated that the Council is being asked to consider approval of an Animal Control Contract with the Wenatchee Valley Animal Care & Control (WVCC), LLC. He noted that the contract was discussed in detail at the earlier Study Session meeting. He said that the new contract standardizes the level of service between the County and the City. He went on to say that there isn't a lot of call for vicious animal control, but there is occasionally a need for that service and that this contract will give the City the resources to provide that service. Councilmember Francis noted the cost increase as compared to the number of animals WVACC has taken from Leavenworth. The Council discussed the contract and agreed that the document itself is more of an insurance policy for the City. The Council went on to discuss rates for licensing of pets and agreed to review those again at the end of the year.

Councilmember Wearne motioned to approve the Animal Control Contract for Services with the Wenatchee Valley Animal Control, LLC for a period of three years and authorizes the Mayor to sign said contract. The motion was seconded by Councilmember Molohon and passed 6/1 with Councilmember Francis opposed.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Mayor Farivar reminded the Council that the deadline for their Public Disclosure Commission Filing is April 15th and that the Group Funding Applications are due by March 1st. She confirmed that the City Council Retreat will take place on March 4th at the Bavarian Lodge at 8:00 AM, breakfast at 7:00 AM.

ADJOURNMENT

Seeing no other business, Councilmember Molohon motioned to adjourn the February 9, 2016 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Wilson and passed unanimously.

The meeting adjourned at 7:49 PM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk