



City of Leavenworth

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City Council
Cheryl K. Farivar - *Mayor*
Elmer Larsen
Carolyn Wilson - *Mayor Pro-Tem*
Gretchen Wearne
Mia Bretz
Margaret Neighbors
Richard Brinkman
Sharon Waters
Joel Walinski - *City Administrator*

LEAVENWORTH CITY COUNCIL AGENDA

Leavenworth City Hall - Council Chambers
February 14, 2017 - 6:30 PM

Call to Order
Flag Salute
Roll Call

Council Committees - 2nd Tuesday

Public Safety 3:00 Parks 4:00
Public Works 5:00

Consent Agenda

1. Approval of Agenda
2. Approval of January 24, 2017 Regular Meeting Minutes
3. January 2017 Payroll \$221,998.95
4. 2017 Claims \$372,680.08

Public Safety Report: Sergeant Bruce Long, Liaison Officer

Councilmember and Committee Reports

Mayor/Administration Reports

Comments From the Public on Items Not on the Agenda

Resolutions, Ordinances, Orders and Other Business

1. Action: Reconsideration of Ordinance 1539 – Private Land Use Designation and Zoning Map amendment for lands owned by Willkommen Village, LLC from Residential Low Density 12,000 (RL 12) district to Residential Low Density 10,000 (RL 10) district
2. Action: Special Use Permit – Noise / Ale-Fest 2017
3. Action: Senior Center Service Contracts
 - a. Custodial Services and Attendant
 - b. Recycle Center Gate and Custodial Attendant
4. Action: Request for Proposal – Utility Rate Study
5. Action: 2017 Pacific Security Contract
6. Action: Accept Copyright Transfer of “Miracle Town” Book
7. Action: Authorize Mayor to Accept TIB Complete Streets Grant Award of \$250,000
8. Action: Festhalle Manager Contract
9. Action: Upper Valley Connection – Youth Funding

Information Items for Future Consideration

1. Reminder: Public Disclosure Commission Filing Deadline April 15, 2017
2. Reminder: Group Funding Applications due by March 1, 2017 – Contact City Hall

Adjournment

(Next Ordinance is 1545 - Next Resolution is 2-2017)

SUPPLEMENTAL COUNCIL AGENDA

1. Reconsideration of Ordinance 1539 – Willkommen Village, LLC from Residential Low Density 12,000 (RL 12) district to Residential Low Density 10,000 (RL 10) district

The City Council is being asked reconsider Ordinance No. 1539. At the January 24, 2017 Leavenworth City Council meeting, Councilmember Larsen motioned to discuss reconsideration of Private Land Use Designation and Zoning Map amendment for lands owned by Willkommen Village, LLC from Residential Low Density 12,000 (RL 12) district to Residential Low Density 10,000 (RL 10) district. Councilmember Larsen noted that Ordinance 1539 did not have a full Council when presented at the last meeting and he asked to set a reconsideration at the next meeting. The motion passed unanimously.

On Monday, February 6, 2017, the City received a request to withdraw the zoning change on Willkommen Village, LLC from RL 12 to RL 10 by Mr. Thomas Lin, applicant for the private amendment.

At this time, Development Services Department recommends that the Council take no action, and not adopt the ordinance.

The following item is included under **TAB 1:**

- February 6, 2017 e-mail from Thomas Lin
- **MOTION:** *None.*

2. Special Use Permit – Noise / Ale-Fest 2017

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 21 – 22, 2017. A staff report is prepared, with the recommendation for approval with conditions, which addresses and removes or reduces noise impacts to surrounding businesses and neighbors.

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

- Compliance Analysis – Special Use Permit
- Special Use Permit Agreement
- **MOTION:** *The Leavenworth City Council moves to approve the Special Use Permit for Ale-Fest.*

3. Senior Center Service Contracts

The City Council is being asked to approve two (2) individual Professional Services Agreements (PSA) with the Leavenworth Senior Center retroactive to January 1, 2017. The City has contracted with the Senior Center for several years in order to assist the Parks Department with weekend and festival restroom monitoring, cleaning, and evening facility lock-up. These agreements and their subsequent implementation have been successful in enabling the City to provide a higher level of service in our parks while allowing employment opportunities to local seniors, and an opportunity for additional funding to be provided to the Senior Center. In 2014, an agreement was added for a gate and custodial attendant for the hours of operation at the City's

Recycling Center. With the approval of Council, the PSA's will continue from year to year, unless sooner terminated, subject to annual review and update by the City of Leavenworth. In 2015, the restroom monitoring at the Lions Club Park location during specified festivals and events was added. Washington State minimum wage has increased to \$11.00 per hour effective January 1, 2017; the contract renewals reflect a 2017 wage increase from \$12.90 to \$14.00 per hour, a difference of \$1.10 per hour. This is necessary to allow for the senior employee to receive the minimum wage and the Senior Center to receive \$3.00 per hour to manage the contact.

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

- PSA Senior Center – Custodial Services and Attendant
- PSA Senior Center – Recycle Center Gate and Custodial Attendant

a. Custodial Services and Attendant

- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Professional Services Agreement with the Leavenworth Senior Center for Custodial Services and Attendant.*

b. Recycle Center Gate and Custodial Attendant

- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Professional Services Agreement for the Leavenworth Senior Center for Recycle Center Gate and Custodial Attendant.*

4. Request for Proposal – Utility Rate Study

The City Council is being asked to authorize the City to proceed with a Request for Proposal for a utility rate study that is included within the 2017 City Budget. The City's last utility rate study was completed in December, 2011 that included recommendations for the Garbage, Water, Sewer, and newly formed Stormwater rate structures for the years 2012 through 2016. This Request for Proposal will again encompass each of the utilities with the expectation for recommendations for the years 2018 to 2023. The Request for Proposal will be sent out to qualified firms that focus on financial review and planning through the use of the Washing State Small Works Roster process with the Municipal Research Services Center (MRSC).

The following item is located under **TAB 4:**

- Request for Proposal
- **MOTION:** *The Leavenworth City Council moves to authorize the City to seek Request for Proposals from qualified engineering firms in preparation of the City's Utility Rate Study.*

5. 2017 Pacific Security Contract

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, and for the officers to perform the duties of parking enforcement. The full contract amount for 2017 is a not to exceed amount of \$50,103.00. 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. In 2015 and 2016, the contract included the security patrol and limited parking enforcement. The 2017 contract is similar to past years; a review of each service area is called out below:

The "Security Patrol" portion of the contract is for a service period of twenty weeks commencing on May 1, 2017 and running through September 30, 2017 and the period from Thanksgiving weekend through New Year's weekend, 2017. The contract amount for this service is for a not to exceed expenditure of Twenty Eight Thousand Three Hundred and Sixty-Eight dollars (\$28,368.00) billed at an hourly rate of \$23.00 per hour for the primary officer and \$19.00 per hour for a secondary officer when scheduled; these rates are consistent with the hourly rates charged last year. 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, 10:00 PM – 3:00 AM. This 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 Council may review 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 to provide this service and additional deputy contracted services for festival support.

The parking enforcement service recommendation is 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-One Thousand Seven Hundred and Thirty Five dollars (\$21,735.00). The officer would provide the necessary information, photos and written report to the City for invoicing of the overtime/no pay parking violation. 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 2016, the City collected \$21,342.46 in parking enforcement fees and expended \$20,858 for services. In addition to parking lot enforcement, these officers also have the authority to enforce yellow zone parking and blocking of sidewalk travel areas.

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

- Professional Service Agreement
- Exhibit A: Proposal & Scope of Services, Pacific Patrol
- **MOTION:** *The Leavenworth City Council moves to approve the 2017 Professional Services Agreement with Pacific Security for security patrols and parking enforcement patrols for an amount not to exceed Fifty Thousand One Hundred and Three Dollars (\$50,103) and authorizes the Mayor to sign said agreement.*

6. Accept Copyright Transfer of "Miracle Town" Book

The City Council is being asked to accept and authorize the Mayor to sign the legal transfer of copyright for Mr. Ted Price's book entitled "Miracle Town: Creating America's Bavarian

Village in Leavenworth, Washington.” The City has received four (4) Copyright Transfer letters; one from Mr. Philip A. Yokers who is Trustee of the Estate; one from Mr. John Miller who wrote the book from stories told to him by Ted Price; one from Mr. Kevin Reike who was the Secretary of the Leavenworth Civic Center Foundation (LCCF) Board at the time of the final Board meeting; and one from P.E.T.A. which is designated in both Ted Price’s and Bob Rodgers’ Trust documents to receive the Residue of their Estate. At this time, the City of Leavenworth may legally register Ownership of the Copyright with the Library of Congress and the Copyright Office of the United States.

Mr. Ted Price bequeathed the copyright of the book entitled “Miracle Town” to the City of Leavenworth as appreciation to the City and acknowledging what he believes would be the rightful owner and home of the copyright. The “Miracle Town” Book provides a history of the City of Leavenworth from early settlement, through the boom to bust, and then the story of the transformation and the efforts of many.

The following item is located under **TAB 6:**

- Letters: Assignment of Rights
 - **MOTION:** *The Leavenworth City Council moves to accept the Copyright Transfer of “Miracle Town” and authorizes the Mayor to sign the Assignment of Rights.*

7. Authorize Mayor to Accept Transportation Improvement Board (TIB) Complete Streets Grant Award of \$250,000

The City Council is being asked to authorize the Mayor to accept and sign the Transportation Improvement Board (TIB) Complete Streets Grant Award in the amount of \$250,000. The TIB has developed a grant program, Complete Streets, to provide for the retrofit of streets and roads for eligible cities, towns, and counties to provide access to all users, including bicyclists, pedestrians, motorists, and public transportation riders. The funds awarded through this grant will be used in the reconstruction of Pine Street for the addition of a multi-use pathway, sidewalk, crosswalks, and ADA transition compliance.

The following items are located under **TAB 7:**

- Complete Streets Work Plan
- TIB Grant Agreement
 - **MOTION:** *The Leavenworth City Council moves authorize the Mayor to accept and sign the Transportation Improvement Board (TIB) Complete Streets Grant Award in the amount of \$250,000.*

8. Festhalle Manager Contract

The City Council is being asked to approve a Professional Services Agreement (PSA) with Mr. Jarod Drozdowski for Consultant Management Services of the City of Leavenworth Festhalle. Mr. Drozdowski is considered an independent contractor providing services for the management, event oversight, and promotion of the Leavenworth Festhalle. The scope of services to be provided by Mr. Drozdowski includes the following:

1. Oversee, coordinate and execute potential client contracts for rental and use of the Festhalle Facility within the guidelines and rates of the Festhalle Use Agreement and Festhalle Policies as approved by the Festhalle Oversight Committee and the Leavenworth City Council. This includes responding to calls, emails, and in-person contacts from private, commercial, governmental, and non-profit agencies.
2. Oversee, coordinate, and execute potential contacts for outside vendors for services billable to the client for janitorial services and security personnel if needed.
3. Provide general day to day management of the operations and maintenance necessary to maintaining the Festhalle Facility in a clean, well-kept and presentable manner. The Consultant shall coordinate with City Public Works Staff to perform maintenance needs when necessary.
4. Maintain and update Festhalle website and web pages as necessary to conform to updated forms, policies, announcements, photos, and any other changes.
5. Work with City Hall Finance Staff for submission of payroll related timesheets, vendor invoices, and purchasing of office and operating supplies.

The compensation for contracted services is \$1,350 per month based on forty-five (45) hours of consultant time per month at \$30.00 per hour; any additional hours would be compensated at \$35.00. The term of the contract is for three (3) years. In addition to the base fee, the consultant is provided an added commission based on increasing the number of mid-week (Sunday through Thursday) events held at the Festhalle.

This is a renewal of an existing three-year contract with Mr. Drozdowski. Over the last three years, Mr. Drozdowski has worked with the Festhalle Oversight Committee to make a number of capital improvements, improve the overall marketing of the Festhalle, and improve the level of customer support and service at the Festhalle. Overall bookings have increased over the three-year period to also include more mid-week use and increased annual revenues. The emphasis in the next several months will be focused on booking weekends left open when the Summer Theater had previously used the Festhalle and implementing a Preferred Partner marketing program. The preferred partner identifies support services for events being held in the Festhalle, preferred partners are identified via the promotional material and website of the Festhalle in exchange for an annual fee of \$250.

Mr. Drozdowski has an extensive background in event planning and promotions. His work history includes working as the Marketing Assistant/Corporate Relations Officer with the Phoenix Art Museum for five plus years; employed as the Major Gifts Officer at Naropa University from 2008-2009 where he scheduled and coordinated major university events focused on fund-raising for the University. He then was employed by the Wenatchee Valley Museum and Cultural Center from 2010 – 2011 where he was involved with planning, implementing and promoting several high profile events: The Winter Wine Gala, Annual Awards Gala, and Christmas Family Fun Days. He currently resides in Leavenworth and is employed by the Leavenworth Chamber of Commerce as their Events Coordinator.

The contract format is consistent with the previous contract language except for fee amounts. Proof of insurance and a current business license have been provided by Mr. Drozdowski. The City Administrator recommends approval of the contract.

The following item is located under **TAB 8**:

- Professional Service Agreement Jarod Drozdowski

- **MOTION:** *The Leavenworth City Council moves to approve the Professional Services Agreement with Mr. Jarod Drozdowski for Consultant Management Services of the Leavenworth Festhalle and authorizes the Mayor to sign said agreement.*

9. Upper Valley Connection – Youth Funding

The City Council is being asked to provide support to Upper Valley Connection (UVC); a non-profit group that supports local Leavenworth area youth and young adults with different abilities, disabilities, or special needs through meaningful interactions. Last year, the City of Leavenworth provided \$750.00 to the program and is asking the Council to consider funding the program again this year. Funding for this is available in the City's General Fund for youth services. Provided in the materials is information from the UVC's website detailing who they are, their program objectives, a list of current events scheduled for 2017, and donors from 2016-2017. You may find more information at their website: <http://www.uppervalleyconnection.org/>.

The following items are located under **TAB 9**:

- Letter of Request for Donation Support
- Website Materials on Program Objectives, 2017 Events, 2016-2017 Supporters (Donors)
- **MOTION:** *The Leavenworth City Council moves to approve supporting the Upper Valley Connection Program for Leavenworth Area Residents in the amount of \$_____.*