

LEAVENWORTH CITY COUNCIL MINUTES

June 14, 2016

Mayor Farivar called the June 14, 2016 Leavenworth City Council meeting to order at 6:30 PM and Councilmember Brinkman led the City Council in the Flag Salute.

ROLL CALL

Council Present: Mayor Cheryl K. Farivar, Robert Francis, Elmer Larsen, Gretchen Wearne, Mia Bretz, Margaret Neighbors, and Richard Brinkman.

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

Mayor Farivar excused Councilmember Carolyn Wilson from the meeting.

APPROVAL OF THE CONSENT AGENDA

Consent Agenda

1. Approval of Agenda
2. Approval of May 24, 2016 Regular Meeting Minutes
3. 2016 Claims \$201,075.47
4. May 2016 Payroll \$206,665.49

Councilmember Brinkman motioned to amend the consent agenda and add item number 5 to the evening agenda regarding an appointment to the Planning Commission. The motion was seconded by Councilmember Larsen and passed unanimously.

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

PUBLIC SAFETY REPORT: SERGEANT BRUCE LONG, LIAISON OFFICER

Chelan County Sheriff Sergeant Bruce Long reported on the current Sheriff Report for the month of April 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 March. He briefly addressed the Euro Car Rally that had taken place over the weekend. He said that there was much more police involvement than in previous years; there were some disturbances as well as arrests because of behavior that was displayed throughout the event. He noted that there were well over 1,700 Euro cars that had signed up for the event, although there could have been that many more in town that had not registered for the event.

COUNCILMEMBER AND COMMITTEE REPORTS

Councilmember Brinkman apologized for not being able to attend the last City Council meeting. He went on to thank the Mayor and City Staff for all of the work that they do in preparation for the City Council meetings.

Councilmember Neighbors thanked Mayor Farivar for allowing her absence for the month of May as she was out of the Country. She reported that she attended the Chelan County Solid Waste Council

meeting and stated that the group continued the update of the Solid Waste Management Plan to provide input for the Coordinated Prevention Grant that will be awarded in July 2017; the grant will provide funds to build the Moderate Waste Recycling facility in Wenatchee. She added that Chelan County is logging calls regarding recycling and appreciates those calls as the County is providing those logged calls with the grant application. She said that she also attended the Festhalle Oversight Committee, Study Session and Parks Committee meetings. She reported on the Parks Committee meeting and stated that the Committee discussed setting in motion a process to replace the skate park; they will form an Ad Hoc Committee made of Councilmembers and members of the skate board community; the first item on the agenda will be to find a site, to identify and evaluate possible choices, and using social media to solicit input. On a final note she updated the Council regarding the success of the Bicycle Pump Park, it's being used extensively, and the Committee is discussing further improvements to the park to include benches and fencing.

Councilmember Bretz reported that she attended the Parks and Public Works Committee meetings. She said that she also attended the Bike & Juice Festival and the first Farmers Market of the season; both events were great for families and the community.

Councilmember Wearne reported that she attended the Public Safety Committee meeting and the Cascade Medical Foundation's Golf Tournament with Mayor Farivar.

Councilmember Larsen reported on the Residential Advisory Committee (RAC) meeting and stated that the Committee received an update from the members of the Community Substation Site Selection Committee regarding the site selection; the next meeting regarding the site selection will be at 6:00 PM prior to the next City Council meeting. The Committee also approached the idea of, "What constitutes an overnight rental?" He said that was a robust discussion and an educational process of sorts. He went on to report on the Public Works Committee meeting and stated that the Committee had previously decided that rather than do a rate study, focus on the meter process; at this month's meeting they had a presentation on water meters from the supplier that provides the current brand of water meters that the City uses. He said that the Pinegrass Development has a touch of the ditch that the School District is working with; there was discussion if the Council may choose to roll that mitigation in with the School District in regard to the wetland mitigation. He went on to report that the Leavenworth Winter Sports Club is approaching the US Forest Service for snow making which puts the pressure on the City to provide a fire hydrant for the area at the base of the reservoir. He said that the City is moving forward with a Request for Qualification for an engineering firm to complete the plans for the Pine Street Reconstruction project; current plans are at 30% and he stated that the City will be applying for additional funding through the Transportation Improvement Board (TIB); a grant application will be submitted by the August 13th deadline. He added that once the plans are closer to completion, the City will host another Open House in order for the residents to review the intended project. On a final note he stated that there is approximately \$95,000 in remaining bond funds available for the \$250,000 needed to complete the parking lot improvements at P1 and P2. He said that the City will focus on electrical and lighting as the starting point of the project; there will be a discussion with Projekt Bayern with regard to funding. He noted that the City will be replacing the fire hydrant on Cherry Street.

Councilmember Francis apologized that he was unable to attend the last City Council meeting. He went on to say that he attended the Festhalle Oversight, Public Safety, and Public Works Committee meetings. He reported on the Public Safety Committee meeting and stated that the Committee discussed the recent Leavenworth Drive event (Euro Car Rally) and how the City will deal with that group in years to come. He said that there was discussion of an increase in fines for certain behaviors, and employing more law enforcement and security personnel. He noted that there is a particular element within the car group that doesn't want to obey the rules. He said that a final discussion

included Pacific Security and the fact that they haven't been as visible as in the past; with the summer season quickly picking up, City Staff is looking at where to best use the resources.

MAYOR/ADMINISTRATION REPORTS

Mayor Farivar reported that she attended the Residential Advisory Committee (RAC) meeting, the Chelan-Douglas Transportation Council (CDTC) meeting, and met with Mr. Paul Kuntz, managing Director of the Trust for Public Lands in regard to potential assistance in acquiring the Osborn school site. She went on to say that she attended the Cascade Medical Foundation Golf Banquet with Councilmember Wearne, briefly spoke to the audience regarding the foundation and hospital; Touchstone Appraisal sponsored a golf team and that team won the tournament. On a final note she reported on the earlier morning Study Session meeting and stated that the Council received a report from the Chamber of Commerce, discussed the current status of the skate park and how to proceed, received an update regarding the Community Development Block Grant and Local Improvement District (LID) #24 in regard to how to proceed, discussed an easement in Front Street Park for construction of a new building owned by Mr. Flint Hartwig, discussion of code revisions in order to allow for alcohol use in parks, street naming for the Pinegrass subdivision, reviewed the City's civil enforcement process, and reviewed the recently approved Fence Permit Ordinance. Councilmember Francis noted that the City has received application that the residents want to see a 4-way stop at the intersections of Cascade/Birch Streets and Orchard/Birch Streets. Councilmember Brinkman suggested that if it does not meet the necessary criteria, the yield sign may be turned into a stop sign.

City Administrator Joel Walinski reported on the Festhalle Oversight Committee and stated that the Committee reviewed the second draft of the video brochure; the brochure will be used as a promotional piece inside the Festhalle and on the website to attract new business to the Festhalle. He confirmed that bookings are up and this summer is the last season that Leavenworth Summer Theater (LST) will use the venue for their summer theater event. He went on to say that the Committee is looking into new staging pieces as the current stage is at the end of its useful life; the current staging curtains belong to LST and the committee is interested in purchasing those at the end of the season. He said that the lighting belongs to LST and that they will be taking that at the end of their summer season; the Committee is looking at purchasing spotlights, low tech but functional, and larger events will typically provide their own equipment. He briefly touched on recent events such as the WA State Roller Derby state wide tournament. He announced that the City and the Festhalle will sponsor the US Navy Blue Grass Band event that will take place in the Festhalle on September 4th beginning at 2:00 PM; tickets will be available on August 1st.

City Attorney Tom Graafstra stated that he and Administrator Walinski met with the members of the Riverbend Home Owners Association and their legal counsel in order to address concerns with the KOA Campground; they exchanged information concerning the KOA and the development of the Willkommen Village. He said that it was a very cooperative meeting.

Finance Director Chantell Steiner reported that the 2015 Annual Report will be discussed later in the meeting; she has also included the two-year budget calendar with the report. She noted that she is available to answer any questions and explained that from time to time the budget calendar may need to be changed. She confirmed that the calendar has been posted to the City's website.

Public Works Director Herb Amick reported that the hand carved Woody Goomsba has been relocated to a prominent location on Front Street.

MAYOR'S AD HOC COMMITTEE ON HOUSING AFFORDABILITY – MAYORAL APPOINTMENTS

Mayor Farivar stated that she has nearly completed the list of people who will be serving on the Ad Hoc Housing Affordability Task Force. She announced their names as follows: Mayor Farivar; Councilmember Elmer Larsen; Councilmember Richard Brinkman; Councilmember Mia Bretz; Chelan County Port District Commissioner JC Baldwin; Upper Valley MEND Board Member Steve McKenna; Real Estate Broker and Developer Dan Acton; Architect and former City Council Member Peter DeVries; Rental Property Owner and Manager Margaret Marson; Attorney Ken Grosse; Marson and Marson Lumber Tom Boyd; local area resident Sharon Waters; City Administrator Joel Walinski; and Development Services Manager Nathan Pate. She said that she has not yet identified the exact date of the first meeting, but it will likely take place later this month from 4:00 – 6:00 PM, meetings will be held once a month for 9 to 10 months. She said that she is hoping to accomplish a list of recommendations to the City to make it easier, less expensive, and expedite the process of developing and building properties that will ease the City's affordability problem.

COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

Matt Fields, 217 West Street, Leavenworth; Mr. Fields stated that he has lived in the same location since 1985; in regard to Sergeant Long's comments about the Euro cars, he said it was one of the worst weekends he has seen as far as that sort of activity goes. He noted the congestion with downtown area hotels and he thought that if overnight rentals were allowed in the residential areas, the types of clientele in the residential areas are the same exact people that Sergeant Long and a lot of other people observed over the weekend. He said that he is opposed to overnight rentals of any kind in the residential area and considering the mix of people in town over the weekend, he said that is the type of element that the residents would have observed in the residential areas. He said it would have been a bad situation with the only option being to call the Sheriff's Office, file a report, and hope for a response. He noted that an officer may or may not be able to respond to all calls. He compared the predominance of alcohol consumption over the weekend with the type of disturbance that would take place in the quiet residential areas if overnight rentals were allowed. He said that the residents can somewhat tolerate the busy downtown as long as it stays in the commercial areas.

Alana McIlwain, 321 Whitman Street, Leavenworth; Ms. McIlwain stated that she has a rental in her home and has never had an issue with anyone staying with them because she and her husband are always present. She said that there is a distinction between the homes that are vacant, where the owner is not on site, and homes such as hers. She said that there have been past problems with the house below hers, being used as a rental with off-site owners; she has had to call the police on multiple occasions. She asked if she should prepare a letter to the City in order to provide her positive experiences in regard to overnight rentals in her home. On another note, Ms. McIlwain questioned the placement of the new Chelan County PUD substation. Councilmember Larson stated that the general location areas are still being considered and he briefly identified three areas being considered. Administrator Walinski noted that the PUD will provide an update and presentation at the June 28 City Council meeting beginning at 6:00 PM. Mayor Farivar asked that Ms. McIlwain provide a letter to the City regarding her experience with overnight rentals. She also invited Ms. McIlwain to attend any upcoming meetings and/or open houses where the City and residents have been discussing overnight rentals in the residential neighborhoods.

Matt Fields, 217 West Street, Leavenworth; Mr. Fields reiterated that he is opposed to overnight rentals of any kind located within the residential areas.

PUBLIC HEARING ON SIX-YEAR TRANSPORTATION IMPROVEMENT PLAN @ 6:45 PM

Mayor Farivar opened the Public Hearing at 7:16 PM.

City administrator Joel Walinski stated that the City attends to the process of updating the Six-Year Transportation Improvement plan annually. He said that the City has compiled a list of transportation improvement projects that are priorities for the City to complete over the next six years. He addressed the document and explained that the top items are items that are currently either fully funded or in the process of securing funding. He went on to briefly detail the items from the list and how they will be funded. He addressed the Pine Street Reconstruction project, parking lot and crosswalk improvements, the Chumstick Multi-Use Trail project, and residential street restoration projects that are currently on the list of improvements and noted their timelines to completion and necessary funding that is left to obtain. On a final note he addressed the Highway 2 and Ski Hill Drive roundabout and the Link Transit Park & Ride that will be located at Willkommen Village. Councilmember Larson recommended the installation of a blinking crosswalk on Titus Road, north of Pine Street for the kids to use as they pass between the practice fields. He suggested the use of Safe Routes to School Grant funding for the crosswalk.

Mayor Farivar asked if there were any comments from the public; hearing none she closed the Public Hearing at 7:24 PM.

RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

1. Resolution 09-2016 Amending Six-Year Transportation Plan

Councilmember Brinkman motioned to approve Resolution 09-2016 amending the Six-Year Transportation Improvement Plan for 2016–2022 with the addition of item number 28 addition of a flashing crosswalk on Titus Road. The motion was seconded by Councilmember Wearne and passed unanimously.

2. Motion to Approve 2015 Annual Report for the City of Leavenworth

Finance Director Chantell Steiner stated that the City Council is being asked to officially approve the 2015 Annual Report for the City of Leavenworth. She asked the Council if they had any questions regarding the report. She confirmed that she and Councilmember Wilson reviewed the report on May 25th and that she filed it with the Washington State Auditor's Office on May 26th. She noted that two things have occurred based on the Audit; the separation of PRSA funds to identify as a second entity, and based on \$750,000 that the City has received in grant awards, there will be an additional audit performed later this year.

Councilmember Francis motioned to approve the 2015 Annual Financial Report for the City of Leavenworth. The motion was seconded by Councilmember Brinkman and passed unanimously.

3. 1st Reading of Ordinance 1528: Chapter 12.28 Mountain View Cemetery Regulations

Public Works Director Herb Amick stated that the City Council is being asked to review revisions and corrections to Ordinance No. 1528, Chapter 12.28 - Mountain View Cemetery Regulations. He said that the revisions and corrections were initiated by the Public Works Committee in order to update certain areas of the code and to also be in compliance with other similar city managed cemeteries.

Councilmember Neighbors noted some inconsistencies within the document regarding pricing that should be removed from the final document.

4. Approval of Community Day Policy for Festhalle Use

City Administrator Joel Walinski stated that the City Council is being asked to approve the "Community Day" Policy which has been recommended by the Festhalle Committee. He said that the Festhalle Committee has been working on the policy for quite some time. He explained that when the Leavenworth Civic Center Foundation (LCCF) was managing the facility, LCCF provided the City with 5 "City Days" for the City's use. He explained that the Committee wanted to be able to provide "Community Days" to local non-profit groups to put on events open to the public Sunday through Thursday at a reduced cost. He said that although the actual "rent" of the facility has been reduced, the user is still responsible for the payment of security deposits, table and chair rental, security, and janitorial fees. He noted that 12 Community Days are available each year and that a single group may not use more than 3 days in a two year period. Councilmember Larsen commented that the City wasn't using "City Days" and that local non-profit groups have requested the use of those days. He added that the City is trying to expose more people to the Festhalle in order to allow for future rentals. Councilmember Neighbors suggested removal of the manager's name from the last page of the policy.

Councilmember Margaret motioned to approve the Leavenworth Festhalle Civic Center Community Day Policy with the correction of removing the manager's name from the policy. The motion was seconded by Councilmember Larsen and passed unanimously.

5. Appointment of Mr. Joel Martinez to the Planning Commission

Development Services Manager Nathan Pate stated that the City Council is being asked to confirm the Mayor's appointment of Mr. Joel Martinez to the City of Leavenworth Planning Commission. Manager Pate stated that Mr. Martinez lives in the city limits and brings a multitude of experience from different backgrounds; as a part of the process the Mayor has gone through a recruitment cycle in order to fill the remaining seat on the Planning Commission. He noted that this appointment is to Position Number 1 and will run through April 2018. Mayor Farivar added that Mr. Martinez interviewed with the full Council for the open City Council seat and feels that Mr. Martinez is the perfect addition to the Planning Commission as a representative from the downtown business community. She noted that he also met with three members of the Planning Commission for a discussion and education of the Planning Commission. Mr. Martinez stated that he is excited to be a part of the Planning Commission and appreciates the commitment of the current members.

Councilmember Wearne motioned to confirm the Mayoral appointment of Joel Martinez to the Leavenworth Planning Commission. The motion was seconded by Councilmember Brinkman and passed unanimously.

INFORMATION ITEMS FOR FUTURE CONSIDERATION

Mayor Farivar stated that at the June 28, 2016 City Council Meeting the Council will receive a presentation from the PUD at 6:00 PM, Chelan County Sheriff Burnett will provide the Sheriff's Office 2015 Annual Report, the Council will hold a Mid-Year Joint Meeting with the Planning Commission, and the Water Department Staff will present the 2015 Water Use Efficiency Report. Councilmember Neighbors announced that on June 16th there will be a bi-cultural festival with a naturalization ceremony with food and entertainment at the Snowy Owl Theater beginning at 5:00 PM.

**EXECUTIVE SESSION: RCW 42.30.110 (1) (B) PROPERTY ACQUISITION (III)
LITIGATION POTENTIAL ACTION**

Mayor Farivar requested a motion to enter into Executive Session to discuss property acquisition and litigation for approximately 10 minutes with no action to be taken.

Councilmember Larsen motioned to enter into Executive Session at 7:45 PM for approximately 10 minutes to discuss property acquisition and litigation with no action to be taken. The motion was seconded by Councilmember Brinkman and passed unanimously.

Councilmember Francis motioned to extend the Executive Session 10 additional minutes at 7:55 PM. The motion was seconded by Councilmember Neighbors and passed unanimously.

Councilmember Neighbors motioned to reconvene the Regular City Council meeting at 8:05 PM. The motion was seconded by Councilmember Bretz and passed unanimously.

ADJOURNMENT

Seeing no other business, Councilmember Brinkman motioned to adjourn the June 14, 2016 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Francis and passed unanimously.

The meeting adjourned at 8:06 PM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director / City Clerk