



City of Leavenworth
700 HIGHWAY 2 / POST OFFICE BOX 287
LEAVENWORTH, WASHINGTON 98826
(509) 548-5275 / FAX: (509) 548-6429
Web: www.cityofleavenworth.com

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
August 8, 2017 - 6:30 PM

Call to Order

Flag Salute

Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of July 11, 2017 Regular and Study Session Minutes
3. Approval of July 24, 2017 Special Meeting Minutes
4. July 2017 Payroll \$244,488.17
5. 2017 Claims \$548,016.89

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: Acceptance of Affordable Housing Task Force Recommendations
2. Action: Resolution 14-2017 Riter Alley Vacation
3. Action: Contract Hearing Examiner – Kottkamp & Yedinak P.L.L.C.
4. Action: Contract Amendment with Varela & Associates for Wastewater Facilities

Information Items for Future Consideration

1. Mayor's Annual Breakfast, 8/15/2017 Wild Huckleberry, 7:00 – 9:00 AM
2. Transportation Benefit District Meeting to Follow Regular Council Meeting

Adjournment

Council Committees - 2nd Tuesday

Public Safety 3:00 Parks 4:00

Public Works 5:00

(Next Ordinance is 1551 - Next Resolution is 15-2017)

SUPPLEMENTAL COUNCIL AGENDA

1. Acceptance of Affordable Housing Task Force Recommendations

The City Council is being asked to accept the Affordable Housing Task Force Recommendations. During the Council's regular Study Session, the recommendations will be presented and discussed.

Upon acceptance, the Council may choose to schedule a joint meeting with the Planning Commission (September 19, 2017 at 3:00 PM) to outline the process, identify priorities, express clarification, and set the recommendations to the 2017 Docket.

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

- Affordable Housing Task Force Recommendations
 - **MOTION:** *The Leavenworth City Council moves to accept the Affordable Housing Task Force Recommendations; and sets a special Council and Planning Commission joint meeting for September 19, 2017 at 3:00 p.m.*

2. Resolution 14-2017 Riter Alley Vacation

The City Council is being asked to approve Resolution No. 14-2017. On June 7, 2017, the City received a request to vacate and subsequently dispose of certain real property held by the City. Pursuant to RCW 35.79.010, the City, by this resolution, is fixing a time for a public hearing on this property vacation for September 12, 2017 at 6:30 p.m.

A "Right of Way Vacation Application / Petition" was received on June 7, 2017. This petition included signatures of the property owner (Mr. Ronald Riter) abutting the alley. The requirement of vacation requires a minimum of two-thirds of the property owners sign and submit the petition. If the City determines to grant said petition or any part thereof, the City shall be authorized and have authority, by ordinance, to vacate such alley, or any part thereof.

Mr. Ronald Riter initiated the request application asking the Council for consideration of abandoning the alley adjacent to Mr. Ronald Riter's property located at 106 River Street in Leavenworth.

The City has conducted its investigation. A previous request for vacation was denied by Council due to the use of the alley as snow storage. Subsequently, the alley has not been used for storage and/or any other public activity. In addition, the City finds that the Ralston's Addition to Leavenworth and its alleys that have not been used for its purpose of an alley may revert to the platted lands under the operations of law without compensation to the City. The City has concluded that no known city utilities, connection to public streets, paths, or other municipal infrastructure is located within the defined property. In addition, the property does not connect to a shoreline of statewide significance. Finally, the City's investigation finds that this real property has no current or future city need, as well as if disposed of; this property would be put to a higher or better use for the community at large.

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

- Resolution 14-2017
- "Right of Way Vacation Application / Petition" with Support Materials

- **MOTION:** *The Leavenworth City Council moves to approve Resolution 14-2017 Riter Alley Vacation Notice of Public Hearing.*

3. Contract Hearing Examiner – Kottkamp & Yedinak P.L.L.C.

The City Council is being asked to approve the 2017 Kottkamp & Yedinak P.L.L.C. contract for Hearing Examiner services. The contract with Leavenworth was entered into in 2009, and the rate has not changed since that time. It is \$550 per item, excluding special hearings. Kottkamp & Yedinak P.L.L.C. proposes to increase this hearing fee to \$750 per item, excluding special hearings. This would include all of the Hearing Examiner's time, including travel. It would work out into an hourly rate of around \$150, which is below a normal hourly rate of \$300 per hour.

Andrew Kottkamp has been in service to Leavenworth and its citizens as the City of Leavenworth Hearing Examiner for many years.

Included in the packet is the new 2017 proposed contract with the modified paragraphs 7.1 and 7.2, increasing the hearing fee to \$750 per item and to provide an hourly rate for special hearing items of \$150 per hour after the first 4 hours. (Please note that the City rarely has a special hearing.) The remainder of the contract is identical to the contract since 2009 with the exception of changed dates, changed Mayor, and change in compensation in 7.1 and 7.2. Also provided is the existing contract for review.

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

- 2017 Amended Professional Services Agreement for Hearing Examiner
- 2009 Amended Professional Services Agreement for Hearing Examiner (existing contract)
- **MOTION:** *The Leavenworth City Council moves to authorize the Mayor to sign the 2017 Kottkamp & Yedinak P.L.L.C. contract for Hearing Examiner services.*

4. Contract Amendment with Varela & Associates for Wastewater Facilities

The City Council is being asked to approve Amendment #2 for the Wastewater Facilities Engineering and Planning Contract with Varela & Associates.

The initial contract with Varela & Associates began in June of 2014 with the first phase of review occurring to address the new TMDL requirements that the Department of Ecology (DOE) was putting into place and would require compliance by 2020; this contract started reviewing the new requirements, the plant status and best approaches to meeting the new compliance requirements. In March of 2016, the City approved Amendment #1 of the contract to the current contract price of \$193,988, which is currently nearing completion. Within Amendment #1, the scope of work included continuing the planning phases of the plant upgrades, preparing a General Sewer Plan / Facility Plan, completing environmental reviews, and attending various public meetings. Due to unknown factors for NPDES permitting, funding applications, additional public involvement and studies/investigations at the time of the amendment, these items were identified in the scope of work as "to be determined". Amendment #2 includes these additional items to complete the Engineering and Planning Phase.

Included within Amendment #2 is the following additional scope of work items and costs; explanations that are more detailed are included for each item within the contract amendment:

- \$6,000 – Environmental Review / Documentation / Clearances
- \$8,500 – Meetings / Project Management / Regulatory Coordination
- \$10,000 – NPDES Permit Assistance
- **\$24,500 – Subtotal Increase to Wastewater Facilities Engineering & Planning**

- \$15,000 – Rural Development Funding Application
- \$15,000 – Rural Development Additional Studies – Preliminary Engineering Report
- **\$30,000 – Subtotal for Rural Development Application Submission**

- **\$54,500 – Grand Total Amendment to Contract**

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

- Wastewater Facilities Engineering and Planning Amendment #1
- Wastewater Facilities Engineering and Planning Amendment #2

- **MOTION:** *The Leavenworth City Council moves to approve and authorizes the Mayor to sign the Wastewater Facilities Engineering and Planning Contract Amendment #2 with Varela & Associates for \$54,500 at a total new contract amount of \$248,488.*