

LEAVENWORTH CITY COUNCIL STUDY SESSION MINUTES

August 9, 2016

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

Council Present: Mayor Cheryl Kelley Farivar, Elmer Larsen, Carolyn Wilson, Gretchen Wearne, Mia Bretz, Margaret Neighbors and Richard Brinkman.

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

Mayor Farivar noted that Councilmember Robert Francis is not in attendance.

1. Chamber Report

Chamber Director Nancy Smith updated the Council on outreach meetings to be scheduled between now and mid September with the Forest Service regarding some major controlled burns that are being planned near the community; more information will be forthcoming. She then updated the Council on a previous conversation regarding a wooden outdoor type structure with removable walls, after discussions with Art in the Park this item is no longer on the Chamber's docket. Director Smith announced that this year will mark the 50th year for Christmas Lighting; the Chamber has chosen not to make advertising related announcements of this due to the high turnout of visitors for the annual event but will be doing some special events for the celebration. She then updated the Council on some of the video footage that was gathered over the Maifest weekend; although it was cloudy and rainy the video is still coming together nicely and will be available soon. She stated that the Leavenworth Area Promotions (LAP) Board will be reviewing a presentation from Tegna, a digital expert with King 5, at their next meeting regarding a digital campaign. She stated some concerns with the results of digital campaigning that may need to be amended and added that LAP has also purchased other Facebook and internet based Google ads of which the results of that advertising have not been realized.

2. Ordinance 1529: Alcohol Use in the Parks

City Administrator Joel Walinski gave the Council a brief update on past requests from various organizations to allow for controlled use of alcohol in the city parks for certain events. He explained the current code language that allows for some minor flexibility, such as the Glühwein tent during Christmas Lighting, but generally does not allow for use of alcohol in the parks. He identified the Council discussions over the past several months and the first reading for an amendment that was reviewed at the June 28th evening meeting.

Leavenworth Chamber Vice President Paula Helsel explained to the Council that the intent of this request is not to allow excessive use of alcohol in the parks but to create some flexibility to have an event with alcohol that makes sense. She explained that the events that the Chamber has put on are always carefully planned and well run with volunteers. She stated that the critical concern in the draft language is regarding the hours of operation. Leavenworth Chamber President Doc Elsea further explained that the constraints of alcohol to be limited to a few hours in the middle of the day likely is not going to create the environment for when alcohol would typically be served; being an adult only crowd, later in the evening is more important than a few hours in the middle of the day.

Councilmember Larsen explained that this process is new for the Council and they are trying to set parameters without opening the door to loose regulations. He stated that there are a lot of potential issues that could arise so the Council discussed the creation of the stricter regulations to begin with and as time progresses and issues do not arise then the parameters may be able to be amended for a manageable policy in the future. Councilmember Bretz concurred that with these being new regulations that it creates some desire for the Council to move slowly and cautiously; however, she questioned whether the City could allow for more flexibility with the Chamber since they are an active user group that works closely with the City on several events. Administrator Walinski cautioned that the code language needs to be designed for all users and cannot focus in on a single entity for special regulations as this would create liability concerns. Councilmember Brinkman questioned the past practice of using a Special Use Permit (SUP) process and whether that is still in place for use. Mayor Farivar and Administrator Walinski explained that the SUP is the process utilized; however, one of the issues has been that the timing of the request has typically been on short notice that does not allow sufficient time for the Council to consider, and even with a SUP, the current City code currently does not allow for alcohol use in the parks.

President Elsea stated that he would like to continue to be part of the process for amending the code language and added that another issue is the limit of just two events per year. Director Smith provided the Council with some history on how the request for the Glühwein tent evolved around 2005 noting that the event has always been very well controlled and that it has not been a profit making portion of Christmas Lighting but more for the ambiance of a Bavarian winter event. She went on to state that a few other events have had some small beer tent and talked about the challenges of only offering a short window of operation for both the event organizers and visitors. Councilmember Larsen noted that the hours of operation are not necessarily the concern for him but more importantly that the beer tent is contained and that the age of 21 is enforced. Director Smith identified that the strict constraints on the current draft regulations are somewhat designed for the past events but does not open the opportunity for future events that have not even been thought of. Mayor Farivar added that there is some difference between Front Street Park and the other city parks that needs to be considered; she noted that the Council has been receiving comments from the community about the allowance of alcohol in the parks in that it will only create more concern as well as many other residents have come forward to state that they absolutely do not want any alcohol allowed in the parks. Councilmember Neighbors stated that she wants to support the Bavarian Theme of the events to allow for alcohol and sees the need to consider different time frames that can be flexible; Councilmember Wilson concurred.

Councilmember Wearne addressed the requirement of having the permit holder on site at all times; she sees that there could be some flexibility to allow for a designated person from the permit applicant rather than it being just the applicant. Director Smith concurred that having flexibility to appoint a designated person would be a simple resolution to this item. Mayor Farivar clarified that the new regulations were not intended to be focused on the Glühwein tent and that the Council could look at an exemption for that specific event. She went on to state that the Council's concern at this time is opening up the door for many new events where alcohol would be involved that may not have anything to do with the Chamber's events. The code language has to be carefully considered in the beginning stages to ensure that there is no abuse of the privilege. Discussion continued on the past request for alcohol at the Rail Jam and recent beer tent for Maifest noting that timing of the event, age of the participants, the type of event and the success of a continued event or festival will be important to consider in each case. Sergeant Bruce Long commented that any event will change when alcohol is introduced; security needs to

be addressed; while volunteers are appreciated they are not trained and qualified to address the needs if the crowd begins to get out of control. He added that just one bad event could ruin this for everyone; what he sees forthcoming is tents, signage, wands for firearms and a high potential for liability to the City needs to all be considered. Councilmember Bretz added that although Oktoberfest has created some issues in the past this is an opportunity to bring people out to other public events that are not necessarily revolving around alcohol; to supplement a great event that has not had alcohol in the past may help to further increase the success of those events. Mayor Farivar thanked everyone for their comments and stated that the Council will need to consider all of this information prior to making any change to the code; she stated that this will be brought back to the Parks and Public Safety Committees for further discussion and review prior to approval.

3. Ferguson Waterworks Water Meters – Tammy Rogers

Mayor Farivar stated that the Public Works Committee recently participated in a presentation from Ferguson Waterworks on the replacement of water meters citywide and that Ms. Tammy Rogers is going to provide a similar presentation to the Council.

Ms. Tammy Rogers of Ferguson Waterworks proceeded to provide the Council with a PowerPoint Presentation on the City's current water meters and the benefits of new meters that could be implemented. She stated that the City currently has 1,252 residential meters and approximately 153 commercial meters. She discussed the benefits of the new meters for accuracy, warranty, and reduced maintenance due to no moving parts. She explained how meters use electromagnetics to operate and the new technology to identify leaks through built in alarms. She went into more detail of the new meters on how they operate and the significant change in accuracy that will save the City funding over time. She then reviewed the benefits of the FlexNet Water Transmitter with true two-way communications and the options for a handheld meter as well as a Vehicle Gateway Base Station that is a mobile unit. This new system would allow for year round reading for all meters, including during winter months. Ms. Rogers then stated that the new meters can be transitioned from walk by/drive by technology up to the next generation of antenna communication that would completely eliminate the need of person to meter access further reducing personnel costs.

Mayor Farivar questioned how backflow prevention is integrated. Ms. Rogers stated that these meters have backflow detection; some have built in backflow devices. Councilmember Larsen stated that having the detection for older homes without backflow would be beneficial. Ms. Rogers then reviewed the quote provided with a current estimate of \$653,300 with installation; without installation would be about \$133,000 less. Ms. Rogers identified borrowing rate options ranging from 2.6% to 3.15% over a five to ten year payback period from Holman Capital. In closing, Ms. Rogers introduced the option of a Next Generation Meter that would allow for turn-off from the office or street reducing employee time and safety. She noted that this shut off valve is something that you would not want to put on all meters but may consider purchasing enough for the habitual late ratepayer or for seasonal shut-offs.

4. Update – Leavenworth Golf Club

Leavenworth Golf Club representatives Mike McNeilly and Ivan Gibbs updated the Council on the status of the golf course noting that this year has been exceptional from a maintenance perspective. Mr. McNeilly gave a brief history on the past ten years where the Club was

struggling to stay in operation due to debt constraints that is no longer a current practice; the Club has not borrowed or incurred debt in the past three years by operating on a cash basis only policy. He said the largest struggle at this time is membership numbers. Current members are aging and younger residents are not replacing those that are going out; therefore, the Club wants to expand further through visitor use. He discussed the change over time from initiation fee versus membership fees and stated the daily price for a couple with a cart is about \$124 while an annual membership for the full seven month season is \$739. Membership fees are the same price regardless of resident or not; however, rates change based on when they are purchased during the season. Mr. McNeilly stated that he feels the price is just right and is not competing with some of the other golf courses in the valley; Mayor Farivar stated that the pricing is quite affordable compared to other courses. Mr. McNeilly stressed the critical need to keep the golf course and carts at the highest level of maintenance to maintain the members currently participating and to bring in new users.

Mayor Farivar questioned what the plan is for the Club to work on the cart paths; Mr. McNeilly stated that they are currently working on trying to locate a vendor to do the work but it has been difficult due to the small size of the project, access to the paths with heavy equipment and the lack of funding; he noted one quote being as high as \$65,000. Administrator Walinski reviewed the past several years of funding allocations noting that in the City's current budget there is \$20,000 to assist in paving of the paths. There was a brief discussion on the changes over the past several years with the increase in visitors coming to the Golf Course on their annual visits; some of the increases are due to the beauty of the course and the increased advertising that the City and Chamber have been assisting with. Mr. Gibbs pointed out the uniqueness of the member run facility and how great of an asset the course is for the community. The past five years have shown significant improvement between the Club and the City regarding assistance and communication; Mr. McNeilly and Administrator Walinski have worked very well together to bring this continuity and success for the Club. Mr. McNeilly provided the Golf Course Annual Report for the Council to review at a later time and thanked the Council for their support to the facility.

5. US Highway 2 Annexation

Development Services Manager Nathan Pate explained that the Department of Transportation (DOT) approached the City with the new Hampton Inn project regarding the infrastructure upgrades needed. The City currently has the right-of-way access along Highway 2 from Tumwater Canyon to the bridge just past Dan's Market. This annexation would extend the right-of-way access from the bridge to approximately the entrance into the community on the easterly side just past Safeway. Manager Pate added that this annexation would allow for easier access for the City to maintain and improve infrastructure needs to the new development area behind Safeway and stated that the letter to the DOT is the first step in beginning the annexation process. Administrator Walinski clarified that the DOT requested that the City begin this process by letter of request. He added that with this annexation, City staff would maintain sidewalks while the road maintenance would remain with the DOT.

6. Complete Streets Revision

Manager Pate stated that the City currently has a Complete Streets Policy in place noting that Leavenworth is one of a very few number of cities in eastern Washington at this time to have a policy in place for the jurisdictional area. He said that the Transportation Improvement Board

(TIB) has funding options that are only allowed for use by entities that have a complete streets policy in place; being the only City in our jurisdictional area makes Leavenworth competitive for the available funding. He went on to state that the Policy itself is beneficial in that the City actively and publicly reviews and states how and what elements for improvements will be considered and implemented on each and every street project. Administrator Walinski identified the draft changes included in the packet to allow for some flexibility in the standards for applicability and a process for approving a project that may not need to incorporate all elements of the complete streets policy. He provided an example of how this change could be utilized on a side street that does not truly function like a main thoroughfare which may not require the need to install bike lanes, sidewalks or widening of the road to improve the pavement of the road. Another instance would be when the City wants to apply for grant funding to do chip sealing of a roadway; by allowing for the applicability options to be considered, the City could greatly reduce construction costs making more projects feasible.

7. Fence Code Updates

Manager Pate reminded the Council that this is being brought forward today due to previous requests by the Council to consider additional amendments to the fence code. He reviewed the changes to improve the public safety factor for having unobscured views to the entrance of a property while still allowing for the full six foot fence along front and side yards. Councilmember Bretz stated that this new language would allow for a six foot fence to go all the way around the entire house with exception to the front entrance walkway. It was clarified that this would be an option for a home owner to consider but it was noted that Sergeant Bruce Long has previously stated that the public safety factor would only be needed for the entrance to the home. Councilmembers concurred that the new language appears to be more appropriate and resolves the issues previously discussed.

8. Council Open Discussion

Councilmember Larsen stated that a Firewise Management Planning meeting would be held at the Firehall at 7:00 PM this coming Wednesday if others want to attend; he will be attending on behalf of the City.

Manager Pate updated the Council on the recent Planning Commission meetings regarding the Riverbend residents on recommended changes that were being rejected previously but are now being accepted. Part of the public process is to allow for diversity and discussion to find resolutions and that is exactly what has occurred in this situation.

Councilmember Brinkman asked for the Council to discuss the stop sign requests at Birch and Cascade streets and Birch and Orchard streets. Councilmember Brinkman recommended changing the two current yield signs to stop signs to see how that change could help in that intersection. Mayor Farivar explained how valuable Sergeant Bruce Long's recommendations are because in a situation he is asked to monitor and report back his findings. However, it has been noted that his presence typically creates a controlled environment whereas people are attentive to the law when he is present. The other issues she finds that are problematic at this intersection are the trees obscuring the signage in some locations and the annual situation of snow piles growing over the season. Council members discussed some experiences in the community where stop signs at every corner would be more of a hindrance for the flow of traffic but there will always be areas that people will want more signs. It was noted that the criteria for

the stop sign placement may need to be considered for different times of the year and may not make sense for all situations. The Council discussed the other option of lowering the town speed limit and the concern of increased speed on streets with no stop signs. Other items to consider are the lack of reporting of accidents, although the Council cannot fix this, it is something to consider. Councilmember Bretz voiced some concern at the need to look at placing more stop signs while the City is also looking at potential changes to a secondary traffic flow from Highway 2; placing stop signs may hinder that planning process for the future. Council discussed concerns with growing requests for more and more stop signs that continue to not follow the policy; the Public Safety Committee is reviewing another request for a different location this afternoon. It was noted that creating a 4-way stop at this intersection is not ideal nor would it likely be favorable by the residents in the immediate area; however, several Council members were in support of allowing the current yield signs to be changed out with stop signs. Mayor Farivar stated that this would be further discussed with the Public Safety Committee to bring back another recommendation to the Council.

Study Session adjourned at 11:37 AM.

APPROVED



Cheryl K. Farivar
Mayor

ATTEST



Chantell Steiner
Finance Director/City Clerk