



City of Leavenworth

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

LEAVENWORTH CITY COUNCIL

AGENDA

Leavenworth City Hall - Council Chambers
August 9, 2016 - 6:30 p.m.

Call to Order

Flag Salute

Roll Call

Consent Agenda

1. Approval of Agenda
2. Approval of July 26, 2016 Regular Meeting Minutes
3. 2016 Claims \$399,259.90
4. July 2016 Payroll \$241,666.57

Council Committees - 2nd Tuesday

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

Presentation: Small Member Excellence Award – AWC Retro Safety Award – Brian Bishop

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: Resolution 11-2016: Six Year Capital Facilities Plan
2. Action: Resolution 12-2016: Approval of the Revised Complete Streets Policy
3. Action: US Highway 2 Annexation
4. Discuss: First Reading – Ordinance 1531 Animal Cruelty

Information Items for Future Consideration

1. Mayor's Annual Breakfast, 8/16/2016 at Wild Huckleberry, 7:00 AM – 9:00 AM
2. Economic Development and Finance Committees Review Draft Budget 8/23/2016
3. Transportation Benefit District Meeting to Follow Regular Council Meeting

EXECUTIVE SESSION 42.30.110(1)(c) PROPERTY SALE

Adjournment

(Next Ordinance is 1532 - Next Resolution is 13-2016)

SUPPLEMENTAL COUNCIL AGENDA

1. Resolution 11-2016: Six Year Capital Facilities Plan

The City Council is being asked to consider and approve the 2017 – 2022 Six Year Capital Facility Plan (CFP). This plan is compiled from the 20 year plans for Water, Sewer, Transportation, Parks / Recreation, and Capital Facilities. The review and approval of the 2017 – 2022 CFP is part of the 2017 Budget development process. As additional planning documents are developed, for example, the Waste Treatment Plan, Water Plan, and Transportation Element of the Comprehensive Plan, the capital improvement plans within those documents will be incorporated within the CFP. The development of this document and inclusion of projects is also necessary for grant funding; typically, the granting agency requires the projects identified for grant or loan funding be included on the CFP. In addition to the 6 Year CFP, the appropriate 20 year plans may need to be updated/amended to ensure consistency; this will be included with the update of the Comprehensive Plan.

The Council reviewed the 2016 – 2021 at the July 12, 2016 Study Session and the Council identified the Skate Park Property and Osborne Park/School Property be added to the CFP. In addition, staff did also update cost estimates, added additional projects identified in the initial draft of the City's Storm Water Plan, and added additional projects from the City's Budget Retreat. A Public Hearing on the CFP was conducted on August 9, 2016. No comments were received from the public.

The following items are included under **TAB 1:**

- Resolution 11-2016: Six Year Capital Facilities Plan
 - **MOTION:** *The Leavenworth City Council moves to approve Resolution 11-2016, the 2017 – 2022 Capital Facility Plan.*

2. Resolution 12-2016: Approval of revised Complete Streets Policy

The City Council is being asked to approve Resolution No. 12-2016 – revision to the existing Complete Streets Policy. The Council discussed and studied the revision on August 9, 2016. Although the Policy met many and varied needs, information from the Transportation Improvement Board (TIB) reflects the need to enhance the applicability process to satisfy funding criteria and meet the objectives of the Policy. These revisions help the City to be competitive for grant funding and clarify the City's approach in fulfilling the "Complete Streets" Policy.

The following item is included under **TAB 2:**

- Resolution 12-2016: Complete Streets Policy
- Attachment A: Identified Revisions
 - **MOTION:** *The Leavenworth City Council moves to approve Resolution No. 12-2016.*

3. US Highway 2 Annexation

The City Council is being asked to direct the City Administrator to proceed with the annexation process of portions of US Highway 2 from the current corporate limit at MP 100.44 to MP 100.84 (the Wenatchee River Bridge to the transit-only turnoff to the future Willkommen Village)

The following item is included under **TAB 3**:

- Draft letter regarding the start of the annexation process and estimated time frame for completion
 - **MOTION:** *The Leavenworth City Council moves to direct the City Administrator to proceed with the annexation process of portions of US Highway 2 from the current corporate limit at MP 100.44 to MP 100.84*

4. First Reading – Ordinance 1531 Animal Cruelty

The City Council is being asked to review Ordinance No. 1531 amending 6.04 and 10.08.035, the City of Leavenworth municipal code regarding Animal Protection and Parking with Animal in Vehicle. The revision of these ordinances is necessary with the changes in state law and the enforcement of the parking citations.

RCW 16.52.340 was enacted by the legislature in the 2015 session and allows for an animal control officer or law enforcement officer to remove an animal from confinement in a vehicle or other space if, in the judgement of the enforcement officer, the animal is suffering or likely to suffer exposure to heat, cold or lack of ventilations. The RCW also states that the enforcement officer, department or agency is not responsible for the damage to property resulting in the action taken to release the animal. This change would also identify the enforcement of this provision as a Class 2 civil infraction. The changes to Chapter 6.04 are to adopt RCW 16.52 by reference and identify the civil infraction. This would be consistent with state law and would aid the Chelan County Sheriff's Department.

The other change being requested is to repeal the existing 6.04.012 Confinement of animal(s) in vehicle infraction and add that language to 10.08.035 making the confinement of an animal in a parked vehicle under certain conditions a parking infraction. The authorization for issuing a parking citation would be provided to the Chelan County Sheriff's Office, the Animal Control Officer and the Parking Enforcement Services provider. The parking infraction would be processed through the City with the City notifying and collecting the fees.

The City has been informed by the Chelan County Sheriff's Office that the parking infraction is not a tool the Sheriff's office uses, any citations they issue must be issued through the Chelan County Court system, and that is why the adoption of RCW 16.52.340 is necessary and the existing language within LMC 6.04 needs to be modified. The addition of the confinement language to 10.08.035 is another tool that may be useful for animal control officers or the City's contracted enforcement officers. This language is also a tool for public relations in notifying visitors and guests that their vehicle can be cited for parking and leaving an animal in the vehicle.

The City attorney has since reviewed and amended the ordinance and it is provided here tonight for the Council to review. A second reading and consideration for approval will be forwarded at the next City Council meeting.

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

- Ordinance No. 1531: Animal Cruelty Draft Language
- RCW 16.52.340