

## **LEAVENWORTH CITY COUNCIL MINUTES**

### **August 22, 2017**

Mayor Farivar called the August 22, 2017 Leavenworth City Council meeting to order at 6:30 PM and Chelan County Sheriff Brian Burnett led the City Council in the Flag Salute.

### **ROLL CALL**

Council Present: Mayor Cheryl K. Farivar, Carolyn Wilson, Gretchen Wearne, Elmer Larsen, Mia Bretz, Margaret Neighbors, and Sharon Waters.

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

Mayor Farivar excused Councilmember Richard Brinkman from the meeting.

### **APPROVAL OF THE CONSENT AGENDA**

#### Consent Agenda:

1. Approval of Agenda
2. Approval of August 8, 2017 Regular Meeting Minutes
3. Approval of August 8, 2017 Study Session Minutes
4. 2017 Claims \$273,405.57

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

### **COUNCILMEMBER AND COMMITTEE REPORTS**

Councilmember Waters reported that she attended the Festhalle Oversight, Upper Valley Park & Recreation Service Area (PRSA), and Downtown Steering Committee meetings. She also attended the tour of the Public Works Facilities. She reported on the new water bottle filling station located at the 8th Street restroom area and discussions regarding delivery truck traffic and current private construction projects.

Councilmember Neighbors reported that she attended Festhalle Oversight and Economic Development Committee meetings, the Annual Mayor's Breakfast, and the tour of the Public Works Facilities.

Councilmember Bretz reported that she was not able to attend the Link Transit Board meeting, but went ahead and briefly reported the highlights from the agenda items and noted that information is also located at [www.linktransit.com](http://www.linktransit.com). She also attended the Upper Valley Park & Recreation Service Area (PRSA) meeting and reported that the PRSA is studying expanding the City's recreation activities and is reaching out to the community to gauge interest in an expansion because the Interlocal Agreement and Levy will be expiring in the coming years. She then reported on the Parks Committee meeting and stated that the Committee is working on a Levy for park projects and reiterated that the Parks Levy is separate from the PRSA Levy.

Councilmember Larsen reported that he attended the Leavenworth Area Promotions (LAP) Committee meeting. He briefly reported on the various promotional opportunities that were discussed.

Councilmember Wearne reported that she attended the Leavenworth Area Promotions and Economic Development Committee meetings. She stated that the Economic Development Committee discussed a holiday event at Lions Club Park; a private company has inquired about holding an event that will include an ice-skating rink, snowman village, and orb balls. She added that she also attended the Parking Study discussion.

Councilmember Wilson reported that she attended the Annual Mayor's Breakfast, Finance, and Upper Valley Parks & Recreation Service Area Committee meetings.

### **MAYOR/ADMINISTRATION REPORTS**

Mayor Farivar reported that she attended the Annual Mayor's Breakfast at the Wild Huckleberry Restaurant. She stated that the breakfast had a record turnout from the City's employees and is a great opportunity for the Council to get to know the employees. She also attended the Chelan Douglas Transportation Council meeting and she and the City Administrator met with the Projekt Bayern Attorney regarding the renewal of their five (5) year lease. She addressed the talking points flyer that had been provided to the Council members in regard to the City Park & Recreation Bond Levy Request that will be on the November Election ballot; she asked the Council to read the talking points and provide her with their feedback.

City Administrator Joel Walinski reported on the Festhalle Oversight Committee meeting and stated that the Festhalle Budget is in good shape and is covering the cost of operations as intended. He then reported on the Downtown Steering Committee meeting and stated that there was discussion of installing temporary bollards to various downtown intersections during specific festivals and events.

City Attorney Tom Graafstra stated that he will provide the City Administrator with a chart that clearly shows what can and cannot be stated in regard to public disclosure for the park bond levy.

Finance Director Chantell Steiner reported that the City has officially closed out the Commercial Street, 3<sup>rd</sup> Street to 8<sup>th</sup> Street Reconstruction project. She noted that the City received an additional \$22,401 in grant funding at the time of closing.

Development Services Manager Nathan Pate reported that the Stormwater / Wetland Grant from the Department of Ecology has been closed.

Public Works Director Herb Amick reported that the 2017 Emergency Repair Work project has been completed and that there are eight new recycling containers that will be distributed this week.

### **COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA**

Ben Burris, 12919 Chumstick Hwy, Leavenworth; Mr. Burris stated that he is a representative of the Bavarian Adult Mixed Softball Association (BAMS). He thanked the Council for taking care

of the immediate safety concerns at the ball fields and offered his assistance regarding support of the field improvements. He suggested organizations that are in the position to help with those improvements and offered to speak with those groups on behalf of the City.

## **GROUP FUNDING REPORT: MUSIC IN THE MEADOW – JAMIE HOWELL**

Mr. Jamie Howell stated that he is representing Icicle Creek Center for the Arts and will be reporting on the group's recent event. Mr. Howell began his report with a PowerPoint presentation, which displayed concert photos and statistics from the two concerts; The Paperboys and Shawn Mullins. He noted the numbers in attendance at each concert, where attendees travelled from, how many paid rooms were booked, and the event sponsors. He briefly addressed the marketing and noted that the group funding went directly to out of area marketing. On a final note, he said that the production was successful and that the intention is to do a four (4) concert event next year during the same timeframe.

## **RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS**

### **1. USDA Rural Development Loan Documents**

Finance Director Chantell Steiner stated that the City Council is being asked to approve a grant agreement and loan funding resolutions from the United States Department of Agriculture (USDA) for the Rural Development Loan and Grant program that the City applied for to assist in the funding for the Wastewater Treatment Plant Facility upgrades. She stated that the funding was approved on August 4<sup>th</sup> and that all of the funding has been available and on hold pending Council approval. City Administrator Joel Walinski addressed the individual projects that will be funded and what projects may be included in the facility upgrade. Director Steiner confirmed that the interest is capped at 2%; however, this could be lower if rates drop at the time of closing.

#### **a. Water and Waste System Grant Agreement**

Councilmember Larsen motioned to approve and authorizes the Mayor to sign the Water and Wastewater System Grant Agreement for a loan total of \$10,670,000 and grant total of \$3,270,000. The motion was seconded by Councilmember Bretz and passed unanimously.

#### **b. Resolution 15-2017 USDA Rural Development Loan – Grant for Wastewater Treatment Plant**

Councilmember Wilson motioned to approve Resolution 15-2017 authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its public body facility to serve an area lawfully within its jurisdiction to serve and to raise a portion of the cost of such undertaking by issuance of its bonds in the principle amount of \$2,670,000. The motion was seconded by Councilmember Neighbors and passed unanimously.

#### **c. Resolution 16-2017 USDA Rural Development Loan – Grant for Wastewater Treatment Plant**

Councilmember Wearne motioned to approve Resolution 16-2017 authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its public body facility to serve an area lawfully within its jurisdiction to serve and to raise a portion of the cost of such undertaking by issuance of its bonds in the principle amount of \$8,000,000. The motion was seconded by Councilmember Larsen and passed unanimously.

## **2. Chelan County Sheriff – Law Enforcement Service Agreement**

City Administrator Joel Walinski stated that the City Council is being asked to review and consider the approval of the Chelan County Sheriff's Law Enforcement Services Contract for the City of Leavenworth. He said that the contract is for a period of four years, January 1, 2018 through December 31, 2021. He explained that the contract names the Sheriff as the Chief Law Enforcement Officer for the City, the Contract covers basic services, provides for 24-hour police coverage, and provides for a Liaison Officer for the City; an additional 200 overtime hours may be purchased for a \$10,000 annual payment. He said that the contract price is stated as follows: \$531,552 for 2018, \$551,220 for 2019, \$571,614 for 2020, and \$592,764 for 2021. He noted that the City provides for payment of Rivercom, Prosecuting Attorney, and Regional Justice Center services in separate contracts.

Councilmembers individually shared their concern regarding the cost and sustainability of the contract costs over time. There were suggestions of basing the contract on population and service area and to look for solutions that are affordable long term for the residents. Mayor Farivar and Councilmembers reiterated that their opinion regarding the contract is in no way their opinion of the Sheriff's Department. She stated that the City feels well served and that the issues are cost related only. Councilmembers have requested reports from the Liaison Officer going forward.

Lisa Goehner, 6387 Goehner Road, Dryden; Ms. Goehner asked the Council how the other cities pay for their contract and questioned if the City of Leavenworth is that much more costly. Councilmember Larsen addressed the question and explained that the Property and Public Safety Taxes are used to pay the cost of the contract; the contract is currently an additional \$60,000 and is much higher than the City of Cashmere who has twice as many residents.

Chelan County Commissioner Keith Goehner stated that the City is receiving the hours that the City pays for. He said that he hears the concerns regarding sustainability; there is consistency throughout the contract for all of the Cities within the County. He added that the contract costs are based on actual figures to operate the Sheriff's Office from a year ago.

Chelan County Sheriff Brian Burnett addressed the hours that are spent within the City and noted that all hours are accounted for within the Annual Report. He ensured that a monthly report will be forthcoming. He went on to say that it is the Sheriff's commitment to continue with the school resource officer regardless of the City adding additional costs to the contract and that he would like to see a win-win solution for the Council and the Sheriff's Office.

Councilmember Neighbors motioned to approve and authorizes the Mayor to sign the 2018 – 2021 Law Enforcement Service Agreement with Chelan County upon final review and approval as to form of the agreement by the City Attorney. The motion was seconded by Councilmember Waters and passed unanimously.

### **3. Posthotel Easement**

Development Services Manager Nathan Pate stated that the City Council is being asked to approve, accept, and authorize the Mayor to sign the “Robert K. Johnson and Nancy J. Johnson” (“Posthotel” sewer mainline) 20-foot wide utility easement. He said that there is a 214-linear foot, 24-inch diameter sanitary sewer line and associated fittings placed within the easement area, which upon acceptance by the City Council, will be conveyed to the City of Leavenworth. He noted that this process will ensure that the City can maintain and operate the pipeline located under the building.

Councilmember Larsen motioned to approve the Easement for Public Utilities between the City of Leavenworth and Robert K. Johnson and Nancy J. Johnson for the Posthotel Development and authorizes the Mayor to sign the Easement. The motion was seconded by Councilmember Wilson and passed unanimously.

### **4. Mayoral Appointment of Oliver Brulotte to the Design Review Board**

Councilmember Gretchen Wearne recused herself from the discussion and vote as she is employed by Mr. Oliver Brulotte.

Development Services Manager Nathan Pate stated that the Leavenworth City Council is being asked to confirm the Mayoral appointment of Mr. Oliver Brulotte to the Design Review Board position number 1. Mayor Farivar stated that Mr. Brulotte is very qualified for the position and eager to learn all that he needs to succeed in the position.

Councilmember Bretz motioned to confirm the Mayoral appointment of Oliver Brulotte to the Design Review Board Position No. 1 for the remaining portion of a four (4) year term. The motion was seconded by Councilmember Waters and passed 5/0/1 with Councilmember Wearne recused.

### **ITEMS FOR FUTURE CONSIDERATION**

Mayor Farivar stated that the Council will hold a special joint meeting with the Planning Commission on September 19, 2017 at 3:00 PM.

### **EXECUTIVE SESSION 42.30.110(1)(b) PROPERTY PURCHASE**

Councilmember Neighbors motioned to enter into Executive Session at 8:09 PM for approximately 30 minutes to discuss property purchase with no action to be taken. The motion was seconded by Councilmember Wilson and passed unanimously.

Mayor Farivar reconvened the Regular Council meeting at 8:39 PM.

### **ADJOURNMENT**


Seeing no other business, Councilmember Larsen motioned to adjourn the August 22, 2017 meeting of the Leavenworth City Council. The motion was seconded by Councilmember Wearne and passed unanimously.

The meeting adjourned at 8:40 PM.

**APPROVED**

  
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**Cheryl K. Farivar**  
Mayor

**ATTEST**

  
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**Chantell Steiner**  
Finance Director / City Clerk